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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Situation of human rights in the former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, the members of the Security Council and to the Organization for Security and Cooperation in Europe the periodic report prepared by Ms. Elisabeth Rehn, Special Rapporteur of the Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia, in accordance with Commission on Human Rights resolution 1996/71 of 23 April 1996 and Economic and Social Council decision 1996/276 of 23 July 1996.

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Periodic report on the situation of human rights in the territory of the former Yugoslavia submitted by Ms. Elisabeth Rehn, Special Rapporteur of the Commission on Human Rights, pursuant to Commission resolution 1996/71*

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Introduction

1. After nearly five years of terrible conflict and bloodshed, a fragile peace has returned to the territory of the former Yugoslavia. On 14 December 1995 in Paris, the President of Bosnia and Herzegovina, the President of the Republic of Croatia and the President of the Republic of Serbia, on behalf of the Federal Republic of Yugoslavia, signed the General Framework Agreement for Peace in Bosnia and Herzegovina, which was negotiated over the course of several difficult weeks during November in Dayton, Ohio, United States of America. The Dayton Agreement brought an end, one hopes forever, to the relentless commission of grave violations of international human rights and humanitarian law in Bosnia and Herzegovina which horrified the world for nearly four years. Meanwhile, in the Eastern Slavonia region of Croatia formerly known as Sector East, fears of renewed conflict between the Government and the so-called "Republic of Serb Krajina", with the possible involvement of the Federal Republic of Yugoslavia, were calmed by the signing of an agreement on 12 November 1995 between the two main parties providing for the peaceful reintegration of the region into Croatia and full respect for human rights. In general, developments in the four months since the issuance of her last report give the Special Rapporteur great cause for optimism that disputes in the territory of the former Yugoslavia will henceforth be settled through negotiation and cooperation, rather than through armed conflict.

2. Despite the dramatic advances which have recently taken place, serious human rights concerns continue to warrant the Special Rapporteur's close attention. In this regard the Special Rapporteur has been highly encouraged by the continuing cooperation she has received from all of the parties involved. Of particular note has been the attention to the concerns of the Special Rapporteur shown by the Government of the Federal Republic of Yugoslavia. The Special Rapporteur was heartened in late February 1996 to receive formal notification of the Federal Republic of Yugoslavia's consent to the immediate opening of an office of the Centre for Human Rights in Belgrade to assist her in the exercise of her mandate. Elsewhere, the Special Rapporteur has continued to receive excellent cooperation from all authorities in Bosnia and Herzegovina, the Republic of Croatia, and the former Yugoslav Republic of Macedonia.

3. Since the issuance of her last report (A/50/727-S/1995/933), the Special Rapporteur conducted two missions to the territory of the former Yugoslavia. The first, from 26 November to 2 December 1995, began in the Federal Republic of Yugoslavia, with stops in Belgrade and Pristina, the capital of Kosovo, and continued into Bosnia and Herzegovina, including important visits to Bjeljina and Banja Luka in the Republika Srpska. During this mission the Special Rapporteur also visited the towns of Jajce and Bugojno and the city of Mostar in the Federation of Bosnia and Herzegovina, and Zagreb and the region of Eastern Slavonia (former Sector East) in Croatia. The Special Rapporteur's second mission, from 31 January to 7 February 1996, began in Skopje in the former Yugoslav Republic of Macedonia. On this trip the Special Rapporteur also visited Sarajevo, Tuzla and the areas of Srebrenica and Velika Kladusa (Bihac) in Bosnia and Herzegovina, as well as the Kupljensko refugee camp in Croatia.

4. The Special Rapporteur continues to place great emphasis on the protection of especially vulnerable groups in the former Yugoslavia. The plight of children affected by the conflict is one of her primary concerns. Great encouragement can be drawn from certain initiatives in this area, such as the programme undertaken by the Serb de facto authorities in Vukovar, in the Eastern Slavonia region of Croatia, to assist families in encouraging children to talk about the traumatic experiences of war. On another subject of overriding concern to the Special Rapporteur, that of responsible behaviour by the media, the situation is less encouraging. Restrictions on free expression and the dissemination of nationality-based hate speech pose continuing threats both to upcoming elections and to the cause of peace generally.

5. With the dramatic changes which have taken place in the territory in the last several months, reinforced cooperation between the different agencies active in the former Yugoslavia has become more urgent than ever before. To contribute her part to this process, the Special Rapporteur has maintained regular communication with numerous organizations concerned with human rights issues in the peace process, including the Office of the High Representative, the international implementation force (IFOR), the Organization for Security and Cooperation in Europe (OSCE), the different United Nations missions in the former Yugoslavia, the International Criminal Tribunal for the Former Yugoslavia (ICTY), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Childrens Fund (UNICEF), the International Committee of the Red Cross (ICRC) and numerous local non-governmental organizations. The Special Rapporteur is convinced that the successful exercise of her mandate excludes the possibility of conducting her activities in isolation or in competition with others, but rather requires a commitment to full cooperation and sharing of views with all agencies involved in peace implementation.

6. As with her first report, the Special Rapporteur bases the present report on information she has gathered personally during her missions to the territory of the former Yugoslavia, as well as information gathered by the field staff of the Centre for Human Rights and personnel of other international organizations present in the region. The report considers the situation in each of the four countries included in the Special Rapporteur's mandate, with conclusions and recommendations immediately following each section, as well as a concluding section of general conclusions and recommendations.

I. BOSNIA AND HERZEGOVINA

Introduction

7. It would be difficult to overstate the scale of the changes which have occurred in Bosnia and Herzegovina over the last four months. Since the last report of the Special Rapporteur and the peace negotiations which resulted in the Dayton Agreement, there have been no massacres caused by military attacks on civilian targets, no nationality-based mass expulsions of people from their homes, no blockades imposed on the delivery of humanitarian supplies. There is now significant communication between the parties, providing a basis for the peaceful resolution of disputes. The pervading feeling in Bosnia and

Herzegovina has been transformed from despair to hope, with profound and promising implications for the human rights situation of the country's citizens.

8. There is still an abundance of problems, however, most notably concerning whether the people of Bosnia and Herzegovina will be able to realize their fundamental human rights, including such rights as freedom of movement, choice of place of residence, work and expression, without regard to their different national backgrounds. To assist in the solution of such problems the Dayton Agreement took the important step of establishing a Commission on Human Rights, consisting of the Office of the Human Rights Ombudsman and a 14-member Human Rights Chamber, which will supplement the Office of the Ombudsman already established in the Federation; these entities are empowered to review and resolve allegations of human rights violations. Their effectiveness remains to be proved, as they were just beginning their operations at the time of writing of this report.

9. Concerning the activities of the Special Rapporteur, there has been much cause for encouragement in Bosnia and Herzegovina. All parties to the conflict have continued to demonstrate an impressive willingness to maintain an open dialogue and to assist the Special Rapporteur in the exercise of her mandate. Perhaps the most notable development has been the cooperation received from the authorities of the Republika Srpska, who have provided assistance in the course of visits by the Special Rapporteur in the last several months to Banja Luka, Pale and the Srebrenica region, and who facilitated the opening of an office of the Centre for Human Rights in Banja Luka in January 1996. The authorities of the Federation of Bosnia and Herzegovina, meanwhile, have continued their well-established willingness to communicate and cooperate with the Special Rapporteur on all matters of interest to her.

Srebrenica and other alleged sites of mass killings

10. Much attention has justifiably been placed in recent months on clarification of incidents alleged to have taken place around the former "safe area" of Srebrenica when it fell to Bosnian Serb forces in July 1995. The Special Rapporteur visited the area of Srebrenica in early February 1996. In discussions with authorities of the Republika Srpska as well as other local authorities and relatives of missing persons, she sought to obtain new information concerning the alleged massacre of thousands of Bosniacs by Bosnian Serb forces and the alleged continued detention of others by the Republika Srpska. On 4 February 1996 the Special Rapporteur visited a site near Srebrenica where, on a hillside at Kravica, she personally observed some 12 skeletal remains, still lying on the ground, and where she learned of the existence of at least 50 other corpses of victims of events that had occurred last July. Although it was impossible to conduct a proper forensic examination of the corpses, it could be seen that they were attired in civilian clothes and the absence of evidence of battle, such as shell craters or bullet marks, in the vicinity suggested that these persons may well have been killed in circumstances other than military confrontation. To assist in the clarification of cases such as this, the Special Rapporteur is undertaking an initiative with other concerned parties and with Governments to establish a rapid action task force, composed of experienced criminal investigators,

medical forensics experts, ballistics analysts and others, to examine sites and draw conclusions about circumstances such as those which resulted in the deaths of the persons at Kravica.

11. All evidence which has become available in recent months provides increased support for the conclusion that at least 3,000, and possibly as many as 8,000 persons, mostly men unaccounted for after the fall of Srebrenica, were the victims of mass killings committed by Bosnian Serb forces in gross violation of international humanitarian law. The uncertainty over the number arises because, while there are credible eyewitness accounts tending to indicate that at least 3,000 persons were captured or killed in numerous incidents in and west of Potocari from 10 to 14 July 1995, it is not yet known how many Bosniac soldiers or their relatives, comprising a column of perhaps 15,000 which set off in that direction from Srebrenica on foot on the night of 10 July 1995, failed to arrive safely in Bosniac-controlled territory; estimates range up to 5,000.

12. The most compelling new evidence of massacres is grave sites themselves, such as those at Glogova and Nova Kasaba, which have become accessible to international observers and which are scattered with broken human remains and items of clothing, indicating a hasty and undignified burial. Additional evidence has been noted by international observers at a warehouse in the area, identified by eyewitnesses as a site of executions, in which walls and ceilings are defaced with bullet holes and blood stains. Moreover, information which has been forthcoming from Republika Srpska authorities provides no indication that missing men from Srebrenica are still alive and in custody. Republika Srpska authorities deny that any such prisoners are still being held, although other unconfirmed reports suggest otherwise. The Special Rapporteur herself visited two sites near Srebrenica which had been identified to her as possible places of detention, but no one was being held there as of 4 February 1996. The only known grouping of men from Srebrenica outside of Federation territory are those among 796 Bosniacs, also including refugees from the former "safe area" of Zepa, who have been in protective custody in the Federal Republic of Yugoslavia, in centres at Mitrovo Polje and Sljivovica, since fleeing Bosnia and Herzegovina last summer. Their situation has been monitored by officials of UNHCR and ICRC.

13. On 16 November 1995, the International Criminal Tribunal for the Former Yugoslavia issued indictments against Mr. Radovan Karadzic, then "President" of the so-called Republika Srpska, and General Ratko Mladic, commander of the Bosnian Serb forces, for genocide and crimes against humanity committed under their authority in the area of Srebrenica in July 1995. Since that time, the Tribunal has continued to gather evidence concerning the Srebrenica events, although it has not yet been able to conduct forensic investigations at apparent mass grave sites in the Srebrenica area. Concerns have been raised by numerous international and local observers that increased ease of access to grave sites has created a risk that important evidence may be tainted or destroyed. It is to be hoped that the Tribunal will be able to gather the evidence it requires from these sites and to provide answers to the uncertainty still surrounding events which occurred at Srebrenica in July 1995.

14. It was reported in early 1996 that a large-scale project of removal of bodies from numerous locations and their subsequent disposal in mines at Ljubija, near Prijedor, was under way in the Republika Srpska. Ljubija is alleged to have been the site of mass executions of Bosniacs and Bosnian Croats committed by Bosnian Serb forces in the summer of 1992 and has long been suspected of containing mass graves. International investigators visiting the location in February 1996 reported that it is difficult to determine whether bodies are buried there because of wintry conditions and the extensive layout of the mines. IFOR is conducting aerial surveillance and regular patrols of the location. The arrival of spring should make it possible to learn more about the fate of persons allegedly killed or buried at Ljubija.

15. There has been little clarification of reliable reports received by the Special Rapporteur and other investigators of massacres perpetrated by Bosnian Serb forces, acting in conjunction with paramilitary forces from the Federal Republic of Yugoslavia under the command of Zeljko Raznatovic, known as "Arkan", against non-Serbs in northern Bosnia and Herzegovina in October 1995, just prior to the successful military taking of these areas by Federation forces. Among the gravest of the incidents which, according to available evidence, appears to have occurred is the arbitrary execution of at least several dozen Bosniac men, many of whom had been serving in forced-labour brigades, at a ceramics factory near Sanski Most. At the time of writing of this report many non-Serb men from this area remain unaccounted for.

Observance of the human rights provisions of the Dayton Agreement

16. The Dayton Agreement, at annex 6, committed the parties to securing "to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms", including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, and the rights provided by 16 other international human rights agreements. The Agreement furthermore mentioned numerous specific rights which the parties committed themselves to upholding. The following section considers developments concerning some of these rights since the initialling of the Dayton Agreement in November 1995.

The right to life

17. With the cease-fire which took effect prior to the negotiation of the Dayton Agreement, and the subsequent withdrawal of heavy weapons behind zones of separation, there have been no heavy artillery attacks in Bosnia and Herzegovina resulting in the loss of civilian lives since October 1995. Sniping, meanwhile, has diminished, although it continues to occur with disturbing frequency. On 9 January 1996, a shoulder-launched missile hit a crowded tram in downtown Sarajevo, killing 1 person and wounding 19 others, including 3 children. It was assessed that the rocket was fired from the Bosnian Serb-controlled suburb of Grbavica. An IFOR vehicle was hit by sniper fire, with no resulting casualties, on 2 February 1996 as it travelled between the Sarajevo airport and the Serb-held suburb of Ilidza; the incident followed another, one day before, in which French IFOR troops in Sarajevo shot dead one sniper of Serb nationality and captured another in the same area. There have been additional sniping incidents in Sarajevo, particularly in the Ilidza

area, causing IFOR to take a decision in February to limit its patrolling in that suburb during night-time hours. IFOR troops reportedly have arrested several armed men in connection with sniping incidents in the Ilidza area and handed them over to Republika Srpska police.

18. In the city of Mostar, violence which erupted at the beginning of the year caused the deaths of at least two persons. Problems began on 31 December 1995 when Bosnian Croat police in west Mostar shot dead a 17-year-old Bosniac youth whom they claimed had failed to stop at a checkpoint. Subsequent exchanges of gunfire across the line separating the Bosniac east side of the city from the Croat-controlled west side led to the wounding of two Bosniac policemen on 4 January 1996 and the killing of a Bosnian Croat policeman and wounding of another on 6 January. On 9 January several grenades were fired from the west side of the city to the east. The violence reflected continued tension between the Bosniac and Croat partners in the Federation of Bosnia and Herzegovina, particularly in Mostar. After a de-escalation of violence which lasted for several weeks, trouble again flared in the city on 7 February in the form of angry demonstrations by Bosnian Croats against European Union Administrator Koschnick's plan for municipal boundaries which would have created a large central district in the city to be shared by the two sides. Mr. Koschnick himself suffered an attack when demonstrators surrounded and seriously damaged the car in which he was travelling. At the time of writing of this report, tension in Mostar appeared to have diminished somewhat in the wake of a renewed commitment to the Federation agreed to by the parties at a meeting in Rome on 17 and 18 February 1996.

19. The right to life continues to be seriously jeopardized in Bosnia and Herzegovina by an estimated 3 million mines strewn across innumerable locations throughout the country. Under the Dayton Agreement the former combatants committed themselves to notifying IFOR by 19 January 1996 of the location of all land-mines under their control within 10 kilometres of cease-fire or inter-entity boundary lines. Notwithstanding this provision there remains a huge number of unmarked mines which pose a continuing threat to the lives of the country's citizens and which have already caused numerous casualties, including deaths, both to civilians and to soldiers of IFOR. Several United Nations agencies as well as IFOR are working on plans, to be undertaken with local authorities, to raise mine awareness and reduce the risk of casualties.

Right to liberty and security of person

20. The Dayton Agreement provided that all persons held prisoner in relation to the conflict would be released within 30 days of the transfer of authority from UNPROFOR to IFOR, i.e. by 19 January 1996. The only exception made was for persons reasonably suspected of having committed crimes within the jurisdiction of the International Criminal Tribunal, who are to be held for a period of time sufficient for adequate consultation with Tribunal authorities. Primary responsibility for facilitating and monitoring releases was vested by the Agreement with the ICRC.

21. Failure to comply with the provision regarding release of prisoners proved to be one of the first substantial violations of the Dayton Agreement. Lists initially provided by the parties to the ICRC of persons held in detention were incomplete. The Sarajevo authorities subsequently declined to release persons held in their custody until information was provided by Republika Srpska authorities on the fate of thousands of missing persons from Srebrenica and elsewhere. Recalcitrance was reported on the part of both Sarajevo and Republika Srpska authorities in granting the ICRC full access to places of detention under their control. By the deadline of 19 January, only 218 prisoners had been released out of a total estimated to be close to 900. By 14 March 1996 nearly 800 prisoners had been freed, but it was then believed that more than 200 persons remained in detention, including some 60 suspected war criminals.

22. The Special Rapporteur was gratified to learn in January 1996 of the release by Republika Srpska authorities of 15 elderly persons, including leaders of Merhamet and members of the so-called Valter group, from imprisonment which in some cases had lasted up to 15 months. The Special Rapporteur had visited these individuals in the military prison at Banja Luka during her mission there in November 1995.

23. Great concern has been expressed in recent reports of the Special Rapporteur about the personal security of members of minority populations who have been subjected to egregious physical attacks, often in connection with evictions, in various locations in the country, particularly in the Serb-controlled area of Banja Luka in northern Bosnia and Herzegovina. Since the signing of the Dayton Agreement, more than 50 new evictions based on nationality have been reported to international monitors in the Banja Luka area, although the accompanying level of violence has declined relative to that in the months immediately preceding the Dayton negotiations.

24. A new concern related to the right to personal security has arisen, this time in the area of Velika Kladusa, near Bihac, which is under the control of Federation authorities. Dozens of reports have been received by international agencies that some of the nearly 10,000 former supporters of the breakaway Abdic regime who have returned to the area from the Kupljensko refugee camp in Croatia have been subjected to various forms of intimidation, including beatings at the hands of Bosnian authorities and residents in the region. These have occurred despite the Government's granting of a general amnesty to former Abdic supporters in early 1996.

25. Among the perpetrators of attacks against recent returnees in Velika Kladusa appear to be members of the Bosnian army. Under the protocol establishing the tripartite police force, comprised of officers from Bosnia and Herzegovina, Croatia and Turkey, which now patrols the region, all military units were to have been withdrawn from the area concurrently with the arrival of the international police. It appears this provision has not been fully respected.

Right to freedom of movement

26. Although freedom of movement for the citizens of Bosnia and Herzegovina has improved substantially since the signing of the Dayton Agreement, their

ability to move unmolested throughout the country is still greatly restricted. The most notable advances in this area have been in and around the city of Sarajevo. Early progress on this issue could be seen in November 1995 with the gradual opening of the Kiseljak and Hadzici routes, crossing Bosnian Serb-controlled territory, to civilian and commercial traffic both in and out of the city, providing a much-needed alternative to the treacherous road over Mount Igman and a virtual end to the state of siege. Routes connecting Bosnian Serb and Bosniac-controlled territory across the Sarajevo airport have been used by thousands of vehicles since November 1995. Also in November, the Bratsva bridge between the city centre and the Serb-controlled suburb of Grbavica was opened to pedestrians following diligent efforts by UNPROFOR's civil affairs unit.

27. The risks still inherent in movement around Sarajevo, however, were made clear by incidents in early 1996 in which travellers were stopped and detained by authorities of opposing factions. In the first week of January, 16 Bosniacs travelling on the road to Kiseljak were arrested by Republika Srpska authorities and were only released several days later after sustained international intervention. Then, in early February, Sarajevo authorities detained six Bosnian Serbs who mistakenly drove onto Bosniac-controlled territory. While four of these individuals were later released after international pressure, two, who had been high-ranking officers in the army of the Republika Srpska, remained in custody and were eventually flown by IFOR to The Hague after the International Criminal Tribunal determined that sufficient evidence existed to hold them on war-crimes charges. The incident apparently led to a reprisal by local Republika Srpska authorities, who detained two Bosniac journalists in the area of Grbavica on 8 February; one was later released, while the other remained jailed on unspecified charges at the time of writing of this report. While the actions of the Sarajevo authorities in this case appear to have been conducted in compliance with law and the terms of the Dayton accords, considered together with actions of the Republika Srpska authorities they cast a chill over perceptions of freedom of movement generally.

28. Commercial and private traffic has now been substantially restored between Sarajevo and Gorazde, bringing needed relief to Gorazde's residents who had suffered through more than three years of siege. There is also regular civilian bus service to and from the city.

29. In Mostar, repeated declarations that freedom of movement between the two sides of the city would be respected were disregarded by Bosnian Croat authorities, who permitted women, children and the elderly to cross but who refused access to west Mostar to Bosniac draft-age men. Freedom of movement was also temporarily suspended after the violent incidents which took place in the city in early January. At the meeting between the parties in Rome on 17 and 18 February, it was formally agreed that full freedom of movement would be accorded to all persons in the city as of 20 February and indeed, by the end of the month close to 1,000 persons were making the crossing daily, including draft-age Bosniac men crossing into the city's west side, though their numbers were small, evidently owing to fear. The issue of freedom of movement between east and west Mostar has been one of the most difficult problems faced by the city's European Union Administration and has provided one of the starkest illustrations of the failure of the two partners in the Federation of Bosnia

and Herzegovina to achieve meaningful unification. Restrictions on freedom of movement between territories controlled by Bosnian and Bosnian Croat forces elsewhere in Bosnia and Herzegovina have also been noted since the last report of the Special Rapporteur, including in the areas of Vitez and Kulen Vakuf.

30. In areas near inter-entity boundary lines separating the Republika Srpska from the Federation of Bosnia and Herzegovina, there have been some slight advances in freedom of movement which support cautious optimism about future developments on this issue. In the Doboj area it is reported that at least 40 families from the Federation have returned to the village of Stanic Rijeka in the zone of separation, and that others have crossed the boundary into the Republika Srpska for brief visits without encountering major difficulties. In the Brcko area in the north of the country some persons have also reportedly crossed from Federation into Republika Srpska territory to meet with relatives and friends and to check on their properties. However, such movements remain infrequent and of limited scale.

Right to return and to choice of residence

31. In annex 7 to the Dayton Agreement, the parties accept that all refugees and displaced persons have the right to return freely and in safety to their homes of origin. Annex 7 further states that the parties will undertake to create in their territories the political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group (Art. II).

32. An early test of the right to return arose with the pilot agreement reached at Dayton between the Bosnian and Bosnian Croat partners in the Federation for the return of 300 Bosniac families to the Bosnian Croat-held towns of Jajce and Stolac, and 300 Bosnian Croat families to the Bosniac-controlled towns of Travnik and Bugojno. In visits to Jajce and Bugojno on 1 December 1995, the Special Rapporteur found little cause for encouragement that the local authorities were prepared to support implementation of this agreement. Since then, progress on returns to the four communities has indeed been slow, although some advances have been made. As of late February 1996, only Travnik, to which 100 Croat families had reportedly returned, appeared to have satisfied the goals of the pilot agreement for return. Some 60 of the agreed-upon 200 Bosniac families had returned to Jajce, while in Stolac, local Bosnian Croat authorities held a ceremony on 3 February attended by Federation President Zubak, among others, at which they formalized their acceptance of the imminent return of 100 Bosniac families. Little progress, meanwhile, appears to have been made on the return of Bosnian Croats to Bugojno.

33. The United Nations High Commissioner for Refugees has underscored the importance of the Dayton Agreement's call for the process of return to be orderly and phased, and has also urged countries of refuge to proceed cautiously in lifting temporary protection status. To date, the number of returns has been small, due largely to winter conditions; however, it is expected that the process will accelerate considerably in the spring. There have already been notable returns of Bosnian Croat refugees and displaced persons to areas of western Bosnia and Herzegovina formerly controlled by Bosnian Serbs, and returns of Bosnian Serbs to the area of Mrkonic Grad,

controlled since last summer by Bosnian Croat forces but which reverted to the Republika Srpska under the Dayton Agreement. Informed observers have noted that it is to be expected that the great majority of returnees will return only to areas under the control of authorities of the same nationality.

34. Nevertheless, the Dayton Agreement is clear that the parties shall not interfere with returnees' choice of destination. To promote the return of persons to areas controlled by authorities of different nationalities, the Dayton Agreement obliges the parties to undertake several specific confidence-building measures, including the repeal of legislation with discriminatory intent or effect, the suppression of nationality-based propaganda in the media and the provision of specific protection for minority populations. It is still too early to determine whether such measures will be effectively implemented and whether there will be any significant returns of persons of one nationality to regions controlled by authorities of another.

35. In this regard, events in Sarajevo during the first two months of 1996 do not give great cause for optimism. The Dayton Agreement provided that authority over five Sarajevo suburbs would pass from the Republika Srpska to the Federation by 19 March 1996, and Federation police authorities joined officers of the International Police Task Force (IPTF) in patrolling the first of these suburbs to undergo a transfer of authority, Vogosca, on 23 February. However, during the preceding months, both sides fell far short of implementing confidence-building measures which would have permitted the transition to occur smoothly, and as a result, the months since the signing of the Dayton Agreement witnessed an exodus of thousands of Bosnian Serbs from the suburbs at issue to areas which are to remain under the authority of the Republika Srpska. Departing Serbs were reported to have taken with them truckloads of personal belongings, industrial equipment removed from factories and even, in some cases, the exhumed remains of relatives; numerous residences were intentionally burned and otherwise destroyed prior to departure. It is estimated that as many as 20,000 Bosnians of Serb nationality had left the affected suburbs of Sarajevo by the end of February, leaving only a few hundred others behind. Remaining Serb and non-Serb residents of the suburbs have faced enormous difficulties, since the departure of so much of the population has left communities without medical and communications services and such basic necessities as shops with food for sale.

36. Sarajevo authorities contributed to this massive displacement through the ambivalence and, in some cases, hostility reflected in their public statements concerning the right of Serbs to remain. In some instances authorities were quoted as saying that all but "Chetniks" could rely on the Sarajevo authorities' protection. Since "Chetnik" is commonly understood to refer to anyone of Serb nationality, not only war criminals, these statements caused considerable apprehension among the Bosnian Serb population in the Sarajevo area. The Government in Sarajevo delayed enactment of an amnesty which, if approved at an early stage, could have assured all but war criminals that they would be free from the fear of arrest and prosecution for activities conducted for the army of the Republika Srpska. Such an amnesty law was finally approved by the Assembly in February, with the delay reportedly due in part to the Government's view that it should await enactment of a similar amnesty law by the Republika Srpska. The situation in Sarajevo was further aggravated

towards the end of February by numerous incidents in which departing Serbs were stoned and otherwise intimidated along the roadways by Bosniacs, whose actions were generally not interfered with by Federation police authorities.

37. For their part, some Republika Srpska authorities made liberal use of the media to seek to convince Bosnian Serbs in the Sarajevo suburbs that they would face great risk of personal harm if they chose to remain in their homes after the transfer to Federation control. On several occasions Republika Srpska authorities expressly encouraged Serbs to evacuate the area, greatly exacerbating the atmosphere of fear and mistrust.

38. Elsewhere in Bosnia and Herzegovina, local authorities appear to have failed entirely to create conditions which might have persuaded citizens of one nationality to remain in areas to be controlled by authorities of another. In February 1996, it was observed that almost all Bosnian Croats in the area of Mrkonic Grad had evacuated prior to its reversion to the control of the Republika Srpska; in some cases persons reportedly were forced by Bosnian Croat authorities to depart against their will. The exodus occurred after Bosnian Croat forces, evidently in anticipation of the imminent transfer of control, had engaged for nearly three months in a campaign of looting and arson which destroyed much of the area's habitable or usable property. In northern Bosnia and Herzegovina, practically the entire Bosnian Serb population in the Odzak area left before its transfer of control to Federation authorities.

39. Nevertheless, encouraging signs are beginning to emerge. As noted above, a small number of families from the Federation have moved back to the village of Stanic Rijeka in the zone of separation near Doboj, and others have indicated a desire to return to nearby areas in the Republika Srpska. Similar wishes to return to areas under Republika Srpska control have reportedly been expressed by displaced non-Serbs from the Brcko municipality in the north of the country, from non-Serbs now residing in Jablanica in the south and elsewhere. Small numbers of displaced Bosnian Serbs have reportedly indicated their wish to return to areas under the control of the Federation, including some in Banja Luka who are considering return to Drvar, Sanski Most and other locations.

Right to freedom from discrimination

40. Discrimination in access to housing, employment, education, medical services and other vital necessities has been widespread throughout Bosnia and Herzegovina during the war, and its elimination will be a key test in the country's struggle to achieve a lasting peace. Numerous cases of discrimination suffered by persons belonging to certain nationalities residing in areas controlled by authorities of another have been and continue to be brought to the attention of the Special Rapporteur. The problem is similarly prevalent in areas controlled by Bosnian, Bosnian Croat and Bosnian Serb authorities.

41. The bulk of international attention on this issue has been given to events which occurred during the war in the area of the Republika Srpska, where evictions of non-Serbs from their homes were of an especially violent nature, sometimes involving acts of murder, rape and other abuse, and where

non-Serbs were often forced because of their nationalities to undertake arduous and sometimes life-threatening work assignments, including forced labour on military confrontation lines. At the time of writing of this report these particularly grave incidents have largely ceased, and a positive development occurred in Banja Luka in mid-January when 15 Bosniac families won a court order allowing them to return to their homes from which they had earlier been unlawfully evicted. However, it is reported these persons have had difficulty in obtaining enforcement of the orders. There remains much cause for concern, including continued reports of evictions, and denial of employment and urgent medical services to non-Serbs on the basis of nationality.

42. In the Federation of Bosnia and Herzegovina, discrimination against persons of different nationalities continues to be a serious problem. In Mostar at least 10 forcible and unlawful evictions of non-Croats from their homes on the city's west side were reported to have occurred since 1 January 1996. Tuzla has been the site of evictions of Serb residents following the arrival of displaced persons from Srebrenica. There have also been numerous reported instances of unlawful evictions of non-Bosniacs from their residences in Sarajevo during the past year. Staff of government offices, military officers, university professors and others appear to hold their positions throughout the Federation owing to overriding consideration being placed on their nationalities, and the proportion of members of local minority groups with high positions in both Bosniac and Bosnian Croat-controlled institutions is far less than what might be expected considering the size of local population groups.

43. The Office of the Ombudsmen for the Federation of Bosnia and Herzegovina has performed excellent work in documenting and responding to these and other allegations of discrimination in the period of just over a year in which it has been operational. However, other Federation and governmental authorities have been slow and, in some cases, completely uncooperative in responding to the Ombudsmen's findings. Important work in documenting patterns of discrimination has also been accomplished by various NGOs in the Federation, including the Helsinki Committee for Human Rights in Bosnia and Herzegovina and the Serb Civic Council in Sarajevo, and the Citizens Forum in Tuzla.

Right to freedom of expression

44. As has been observed by the Special Rapporteur and others since the beginning of the war, the question of the right to free expression in Bosnia and Herzegovina requires consideration both of restrictions on the right, and its abuse by way of unrestricted advocacy of national and religious hatred and incitement to discrimination. While the parties to the Dayton Agreement have committed themselves to eradicating both violations, events of recent months show that much progress in this crucial area remains to be made.

45. Of particular concern to the Special Rapporteur has been the use of the media by all three sides to advocate perspectives exclusively favouring one nationality at the expense of others, notably in the disputes which have occurred over the transfer of Serb-held suburbs to the Federation in Sarajevo, and in Mostar. The Special Rapporteur also notes the continuing lack of opposition press and broadcast outlets in the Republika Srpska, as well as the

difficulties which have been experienced by the non-governmental enterprise Studio 99 in obtaining broadcast licensing in Sarajevo. On a more positive note, however, the appearance of numerous new publications in Sarajevo since the lifting of the siege against the city offers reason for optimism concerning future developments on freedom of expression in Bosnia and Herzegovina.

Humanitarian issues

46. The need for humanitarian assistance for the people of Bosnia and Herzegovina remains urgent, notwithstanding the cessation of hostilities. There are more than 1 million displaced persons in the country, many of whom lost their homes and are now living in severely overcrowded collective centres. The Special Rapporteur had the opportunity to visit collective centres in northern Bosnia and Herzegovina in late November 1995 and to learn first-hand the situation endured by their residents. Innumerable people are afflicted with the wounds of war, both physical and psychological. The lives of children and the elderly, in particular, have been gravely affected and they will require special attention. Tremendous damage, moreover, has been done to the country's economic and social infrastructure.

47. International agencies, Governments and NGOs are reinforcing their humanitarian programmes in the country and demonstrating great commitment to improving the plight of its citizens. One positive development has been the increased possibility for UNHCR and other agencies to rely on local suppliers for the production of both food and non-food humanitarian goods, which can help in speeding economic recovery.

Future considerations

48. The situation of human rights in Bosnia and Herzegovina will be of particular relevance to elections which, under the Dayton Agreement, are supposed to take place between 14 June and 14 September 1996. The Agreement recognizes that, for elections to be considered free and fair, certain conditions must exist including an environment in which voting may be conducted without fear or intimidation, and in which there is freedom of expression and of the press. The Agreement vests with the OSCE the responsibility for certifying "whether elections can be effective" within the dates specified (annex 3, art. I, para. 2).

49. Certain aspects of the electoral system created by the Dayton Agreement are troubling, notably the provision which defines eligibility for the Presidency of Bosnia and Herzegovina by, among other criteria, the candidates' nationalities. Under the Constitution established by the Dayton Agreement (annex 4, art. V), the two members of the Presidency from the Federation must be one Bosniac and one Croat, while the member from the Republika Srpska must be a Serb. Distinctions based on nationality are one of the Dayton Agreement's most regrettable, if arguably necessary features. It is to be hoped, perhaps against all indications, that these concessions to expediency will not harden into permanently impenetrable barriers between Bosnians of different nationalities.

Conclusions

50. The Dayton Agreement and the deployment of the international implementation force have resulted in a major and deeply welcomed reduction in gross violations of international human rights and humanitarian law in Bosnia and Herzegovina. However, the true test for the establishment of a lasting peace will be the parties' compliance with the human rights provisions of the Dayton Agreement and other international instruments, which form the basis of civil society.

51. Recent evidence tends to confirm allegations that Bosnian Serb forces massacred at least 3,000 Bosniacs, and possibly many more, in the area of Srebrenica in July 1995, in gross violation of international human rights and humanitarian law. Evidence has also recently become available of massacres allegedly committed by Bosnian Serb forces in the area of Ljubija in 1992, and near Sanski Most in October 1995. It is to be hoped that the International Criminal Tribunal for the Former Yugoslavia will be given adequate means to investigate these allegations and finally resolve the uncertainties about what happened at these locations.

52. Despite the cessation of hostilities, there are still serious threats in the country to the rights to life and personal security. Among these are continued sniping incidents in Sarajevo, recurrent hostilities between the Bosnian and Bosnian Croat partners in the Federation, especially in Mostar, and millions of land-mines scattered around the country.

53. As of the time of writing of this report, the parties remain in violation of the Dayton Agreement's terms concerning the release of prisoners. It was estimated that a total of approximately 200 persons were still being held by the three sides.

54. Although freedom of movement has greatly improved since the signing of the Dayton Agreement, there are still considerable risks involved for persons from any of the three major national groups travelling through areas controlled by nationals of another. However, some limited examples of increased freedom of movement across inter-entity boundary lines, and improvement in the situation in Mostar, give reason for cautious optimism on this issue.

55. Returns of refugees and displaced persons are gradually increasing, particularly displaced persons returning to areas under the control of authorities who share their nationality. Progress has finally been recorded on the intra-Federation pilot return project of November 1995, with Travnik in full compliance, Jajce having advanced significantly and Stolac reportedly prepared to do the same, though no returns have been recorded there to date. Bugojno, however, remain uncooperative.

56. Imminent elections prescribed by the Dayton Agreement will offer a major opportunity for the citizens of Bosnia and Herzegovina to express their hopes and wishes for the country's future. It will be necessary, however, to play close attention to such issues as respect for personal security and freedom of expression, which are internationally recognized as prerequisites to free and fair elections.

Recommendations

57. For final clarification of events which occurred in the area of Srebrenica in July 1995 and other alleged serious violations of humanitarian law, it will be essential that the International Criminal Tribunal for the Former Yugoslavia continue to receive the financial and logistical support of the international community. The Special Rapporteur also intends to seek support for the creation of a rapid-action task force to assist in investigations of sites, still common in Bosnia and Herzegovina, in which the bodies of persons killed during hostilities remain unrecovered. The Special Rapporteur also wishes to recommend that all measures be undertaken by responsible authorities, including religious authorities, to ensure the dignified burial of such persons.

58. For clarification of questions concerning persons still missing and unaccounted for, all possible support should be given to efforts being undertaken on this issue by the International Committee of the Red Cross, and the expert of the Commission on Human Rights, among others.

59. Demonstrated respect for human rights must be a precondition to any initiative for the large-scale return of Bosnians back to their country. Such respect must also be a precondition to major reconstruction aid, as distinguished from continuing humanitarian assistance. The foundation for a lasting peace in Bosnia and Herzegovina will not lie in an infrastructure of factories, bridges and other economic needs - the country had this five years ago, but it did nothing to prevent the outbreak of war. The foundation for a lasting peace will lie in demonstrated respect for human rights by all the parties to the conflict.

60. At the same time that short-term steps are taken by the international community to protect human rights in Bosnia and Herzegovina, it will be vital to bear in mind measures which can safeguard human rights well into the future. All possible support must be given to the Commission on Human Rights created by the Dayton Agreement (annex 6), to the Federation's Office of the Ombudsmen, and to local human rights NGOs.

61. All initiatives which result in the sharing of communities between Bosnians of different nationalities must be resolutely encouraged. It is true that most refugees and displaced persons will likely seek resettlement initially in areas already under the control of their ethnic counterparts. But efforts must not be abandoned to promote a broader resettlement model in which people can choose to live anywhere in the country, as provided for in the Dayton Agreement. To surrender to the inevitability of ethnically pure zones would pose great danger in the future, not only in Bosnia and Herzegovina, but in every place where conflict threatens to break out as a result of ethnic cohabitation.

II. CROATIA

Introduction

62. Since the issuance of her last report, the Special Rapporteur has visited the Republic of Croatia twice, in December 1995 and February 1996. During

these missions she visited the region of Eastern Slavonia, formerly known as Sector East, as well as the Kupljensko refugee camp near Vojnic. The Special Rapporteur met with the President of the Republic of Croatia in December 1995 and has also held meetings with other top government officials, including the Minister of Foreign Affairs, as well as with representatives of international and non-governmental organizations. The Special Rapporteur notes with appreciation the continuing cooperation she has received from the Croatian authorities.

63. In her last report, the Special Rapporteur paid particular attention to compelling human rights issues which arose in former Sectors North and South after Croatia's military recovery of control over those regions last summer. While noting recent developments on that issue, the present report also considers other human rights issues of concern in Croatia generally.

64. This report is based on materials received by the Special Rapporteur during her missions to Croatia and on information gathered by field staff of the United Nations Centre for Human Rights, as well as on information received from the Croatian Government and international and local organizations.

A. Further developments in the Krajina region

The right to life

65. Although the incidence of killings in the former Sectors has been substantially reduced since the Special Rapporteur's last report, sporadic cases justify continuing serious concern about protection of the right to life. On 26 February 1996 an elderly Serb couple was murdered in the village of Jezerce, near Plitvice. In other recent cases, two elderly Serb women were shot dead in their homes in separate incidents, in the villages of Ljubotic and Bilisani, former Sector South, in the first week of February 1996.

66. The Special Rapporteur has received information from the Croatian authorities on some criminal proceedings which have been undertaken regarding killings of civilians which occurred in former Sectors North and South in the aftermath of last summer's military operations. The Government indicates that, as of 20 January 1996, 27 murder investigations have been completed and 25 persons have now been charged before judicial authorities. The authorities state that in the Varivode case, concerning the killings of nine elderly Serbs in that hamlet in the former Sector South on 28 September 1995, the trial of four defendants is now drawing to its conclusion. In proceedings concerning the killings of seven elderly Serbs in Gosici, former Sector South, on 27 August 1995, pre-trial proceedings are continuing against six persons, two of whom are also defendants in the Varivode case.

67. The Special Rapporteur notes that, while the authorities have pursued criminal proceedings in some cases described in her previous report, there is little evidence of progress concerning many other reported killings. Among these is the Grubori case, in which five civilians were found dead shortly after Croatian Special Forces were seen moving toward the hamlet on 25 August 1995. The Special Rapporteur has written to the Croatian Government requesting clarification of the Grubori case. United Nations investigators

monitoring the situation in the former Sectors after last summer's military operations had recorded at least 150 apparent violations of the right to life occurring at that time.

The right to property

68. Despite a significant decrease in acts of burning and looting of property in the former Sectors since her last report, frequent cases of looting continue to be reported. A 93-year-old woman and her daughter in Kistanje, former Sector South, reported the theft of their pigs and cattle on 1 December 1995 and additional looting later in the month of poultry, linen, food-aid parcels and money. On 9 February 1996 in Biskupija, near Knin, several men in military uniforms were observed removing bricks from an abandoned house and loading them onto vehicles. An elderly Serb woman in the village of Ervenik reported in February that her property has been frequently looted, and that she was accosted in her home one night by intruders demanding food-aid parcels. There is little evidence of reinforced police presence in the former sectors.

69. Concerning the campaign of arson and looting conducted in former Sectors North and South last year, described in extenso by the Special Rapporteur in her last report, information recently received from the authorities alleges that a total of 757 houses were partly or totally destroyed by arson in the summer of 1995. This figure differs drastically from the total of 5,000 structures estimated by United Nations observers to have been destroyed by fire in the former Sectors. The Government reports that charges of arson have been brought against only 11 persons and offers no indication whether any convictions have been recorded in these cases. The authorities further advise that 1,600 cases of grand larceny have been reported since last summer's military operation, of which 1,151 have been solved, and 935 persons have been charged with the crime of aggravated larceny and brought to trial.

Humanitarian and social issues

70. Some progress appears to have been made in the former Sectors in the provision of humanitarian assistance to needy persons, particularly Croatian Serbs, although additional measures need to be taken. According to a census conducted by the Government, 9,773 persons remained in the area following last summer's military operations. The Croatian Ministry for Labour and Social Welfare has opened reception centres for sick and elderly persons in Petrinja, former Sector North, and Knin, former Sector South. The State welfare agency, meanwhile, has provided financial assistance amounting to 200 kuna (approximately US$ 40) per household on three occasions, resulting in a total disbursement of some 2 million kuna (approximately US$ 400,000) to nearly 10,000 households. However, reports continue to indicate that Croatian Serbs face some difficulties in obtaining access to humanitarian assistance. Issuance of identity documents in some locations continues to be slow and inefficient. Moreover, resources devoted to humanitarian programmes are considerably below the levels required.

71. Recent reports indicate that one of the main problems now faced by Serbs concerns discrimination in employment. The Special Rapporteur has learned of some 20 workers of Serb nationality who, dismissed from the "Daruvarske

toplice" spa in Daruvar, former Sector West, have not been rehired despite a court order to that effect. Many Serbs of working age in the former Sectors are unemployed and dependent on humanitarian assistance. Furthermore, information received by the Special Rapporteur indicates that Croatian Serbs have been denied their right to pension allowances, as well as to State assistance for home reconstruction.

Detention issues

72. On 30 December 1995, the President of Croatia issued a decree granting amnesty to 451 Krajina Serbs* accused of "armed rebellion" for their alleged military support of the so-called "Republic of Serb Krajina". This decision of the Croatian Government was noted with appreciation by the Security Council in a statement by the President dated 8 January 1996. Nevertheless, the Special Rapporteur is of the opinion that a general amnesty, which has not yet been decreed, is a condition sine qua non for the return of Croatian Serbs, who will otherwise fear prosecution for having served in the army of so-called "Republic of Serb Krajina". Regarding trials initiated against detainees indicted for war crimes, the Special Rapporteur has emphasized to the authorities that the principle of fair judicial process, including access to defence counsel, must be fully guaranteed.

The return of Croatian Serb refugees

73. According to the State Office for Displaced Persons and Refugees, the return of some 2,100 Croatian Serb refugees now in the Federal Republic of Yugoslavia has been approved, out of a total of nearly 5,600 requests received, although there are indications that considerably more Croatian Serbs would like to return to Croatia. However, as for large-scale returns, the Government has indicated the matter will be addressed only in the course of discussions on normalization of relations between Croatia and the Federal Republic of Yugoslavia. It appears this position might delay the return of persons who fulfil all pertinent legal prerequisites.

74. The Special Rapporteur notes as encouraging the Croatian Parliament's amendment on 17 January 1996 of the "Law on the Temporary Take-over and Administration of Certain Properties", which suspended the 90-day time-limit earlier imposed on Croatian Serb refugees who had fled from the Krajina region to file claims to their real property, or risk having it handed over to displaced persons for temporary use. This decision may have a positive impact on decisions of refugees whether to return.

Legal questions

75. In her last report, the Special Rapporteur expressed concern regarding the treatment of Serbs remaining in Croatia, especially with reference to the suspension of articles of the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities or Minorities. The

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* Although the decreee named 455 persons to be released, the International Committee of the Red Cross concluded that 4 names were duplicated on the list.

Government has taken the position that minorities remain protected by virtue of article 15 of the Croatian Constitution, guaranteeing the protection of minorities in Croatia generally. However, the suspended special constitutional provisions contain many more specific provisions for the protection of minority Serbs. The authorities have stated their intention to engage in confidence-building measures in the near future for the promotion of tolerance between different ethnic communities, while stopping short of reinstituting special constitutional protections.

76. Regarding the establishment of the Provisional Human Rights Court, suspended as part of the above-mentioned constitutional provisions, the Government has indicated that legal experts have been summoned from the Council of Europe to provide advice on this issue although long-standing promises that the Court would be created imminently continue to go unfulfilled. The Government has, however, called attention to Croatia's ratification in 1995 of the Optional Protocol to the International Covenant on Civil and Political Rights, which permits individuals to communicate to the Human Rights Committee individual complaints of alleged human rights violations.

B. Additional human rights concerns

The practice of illegal and forcible eviction

77. Continued extensive information has been received by the Special Rapporteur concerning the problem of illegal and forcible evictions in Croatia. These have occurred mainly from former military apartments whose ownership has been transferred to the Ministry of Defence, but also from other State-owned property and private apartments. They are frequently conducted by military police or members of the Croatian army, and in several cases have involved the use of violence. Many evictions are carried out against Croatian Serbs who were members of the old Yugoslav National Army (JNA), sometimes on the grounds (under art. 102 (a) of the Housing Law) that such membership constituted de facto "enemy activity" against Croatia.

78. In November 1995, the Special Rapporteur raised this issue in a letter to Croatian authorities and emphasized the need for action to stop the violations of tenants' rights and to reinstate victims in their homes. The letter, to which the Government sent a reply in early 1996, noted several cases, including that of Ms. M.Z. who was evicted on 21 July 1995 in Zagreb by a group of men in uniform, including one who was a member of the First Croatian Guard Unit. The perpetrators threatened, beat and raped one of the three persons living in the contested apartment. The correspondence also noted a case occurring on 30 October 1995, in which an attempt was made by military persons to evict Mr. G.R. from his apartment in Split. One of the perpetrators was killed and others seriously injured when a hand grenade exploded during the incident.

79. The authorities have taken the position that the withdrawal of tenancy rights is sometimes due to "the subletting of flats to subtenants". However, the Special Rapporteur notes that many evictions are conducted without court

order or other legal authorization. No information has been provided on whether legal proceedings have been undertaken against perpetrators of illegal and forcible evictions.

80. The Special Rapporteur is informed of the continuing problem that court decisions to reinstate evictee's in their apartments are not enforced by Croatian police authorities. She expressed great concern on this matter in a meeting held in late 1995 with the Minister of Defence, who acknowledged this and stated that "the military police intervene in such practices only on the basis of a request from the public prosecutor". Examples of non-enforcement include the case of Mr. B.H., evicted in Split by a member of the Croatian Military Police; the Municipal Court ordered the reinstatement of his apartment to him, which decision was confirmed on 21 November 1995 by the County Court in Split. He has not been able to secure enforcement of the order from the responsible police authorities.

The situation of the media

81. In Croatia, the exercise of freedom of the press is regulated by the Media Act* of April 1992. The State exerts dominant control over the media, largely through ownership of major media outlets. However, a distinction has to be made between the predominantly State-owned electronic media and the printed media which, with the exception of the major Zagreb daily newspapers, tends to be more independent. The ruling party's control over the electronic media was especially evident during Croatia's national elections in October 1995 when, for example, the national television station HTV provided extensive coverage of the President's visits to different towns while refusing to broadcast political advertisements for at least two opposition parties.

82. The Special Rapporteur has noted with great concern several recent attacks on media independence in Croatia. On 26 October 1995 the editor-in-chief of the Osijek weekly Bumerang, which has often been critical of the ruling HDZ party, was assaulted and beaten while taking photographs of an HDZ election rally, allegedly by plain-clothes policemen in full view of uniformed police officers who failed to intervene. On 25 January 1996 a vice-prime minister allegedly threatened a journalist from the daily Novi list in the Parliament building with a gun borrowed from a security guard, reportedly saying the writer "should be killed" for articles she had written that were critical of the new State budget. The official laughed after the incident and said it had only been a joke, but the journalist is pressing charges. Also in January, leaders of the independent station Radio Labin Art Express in the Istrian region were threatened by assailants who reportedly attempted to steal the station's transmitters. The station had just complied with a government order to stop broadcasting after its concession was reassigned to a newly created station, Radio Labin, reportedly more supportive of the ruling HDZ party.

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* The Constitutional Court, in a recent decision, declared that a majority had not been obtained in April 1992 and repealed the Media Act. However, a new deadline has been set for 30 June 1996.

83. Although the Croatian legal system, especially article 39 of the Constitution, prohibits the publication of material advocating discrimination or nationality-based hatred, such material continues to appear. On 4 February 1996, for example, a journalist from the daily Vecernji list proclaimed in an article that "the most perfidious trade union leaders in Zagreb are Serbs" and "the most perfidious editors and journalists in the 'State-controlled' media are also Serbs".

Kupljensko

84. As of 27 February 1996, according to a census conducted by the UNHCR, 6,490 refugees from Bosnia and Herzegovina remained in the Kupljensko camp near Vojnic. The Special Rapporteur visited the camp on 2 February 1996 and received information directly from refugees about the camp's living conditions, which are extremely difficult. Tents and other makeshift structures provide limited protection against the elements, and disease is an ever-present threat. An initiative by UNHCR to instal containers at the compound to provide special humanitarian needs was blocked by Croatian authorities. The authorities have also impeded efforts to set up authorized shops for the sale of basic necessities.

85. The Special Rapporteur was informed about the arrest on 1 February 1996 of 69 refugees suspected of engaging in "illegal trading, possession of weapons, and smuggling". Tension in the camp was further increased when some 46 of these persons were repatriated against their will to Velika Kladusa in Bosnia and Herzegovina, evidently without consideration as to whether they might have wished to pursue claims to refugee status in Croatia.

86. The Special Rapporteur, during a meeting with the Minister of Foreign Affairs in February 1996, emphasized the responsibility of the Croatian authorities to provide acceptable living conditions in the camp and ensure that the rights of refugees are fully respected. Reportedly, an agreement was reached in early March between the authorities and camp residents for the closing of the camp, the repatriation of army residents and the transfer of the rest to other refugee facilities in Croatia. It remains to be seen whether the right to seek refugee status will be fully respected by the Croatian authorities.

III. THE REGION OF EASTERN SLAVONIA, BARANJA AND WESTERN SIRMIUM

Introduction

87. On 12 November 1995, the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium was signed by the Government of the Republic of Croatia and representatives of the local Serb community. The Agreement calls for a Transitional Administration to be set up in the region (formerly known as Sector East, and hereafter referred to as "Eastern Slavonia"), and an international force to be deployed for a period of 12 months, extendable by an additional year at the request of either of the parties. It is significant that the parties committed themselves, inter alia, to ensuring respect for the highest level of internationally recognized human rights and fundamental freedoms in the region.

88. With the adoption on 15 January 1996 of Security Council resolution 1037 (1996), the Basic Agreement entered into force and a United Nations peace-keeping operation was established under the name "United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium" (UNTAES). The Council decided the region should be demilitarized within 30 days of the deployment of an international force of up to 5,000 troops. The task of the civilian component of UNTAES is to include, inter alia, the establishment of a temporary police force, the facilitation of the return of refugees and displaced persons, and monitoring of the parties' compliance with their commitment to respect the highest standards of human rights and fundamental freedoms.

89. The Special Rapporteur visited the region of Eastern Slavonia on 3 December 1995. During her visit she inspected the town of Vukovar and met with Serb de facto authorities, as well as with representatives of the local Red Cross. She also met with representatives of international organizations including the United Nations Confidence Restoration Operation in Croatia, (UNCRO), UNHCR, ICRC and the European Community Monitoring Mission (ECMM). The Special Rapporteur's visit included discussions with individuals of non-Serb ethnic origin, with displaced persons and with other private individuals.

90. Based on the recommendation of the Special Rapporteur and following agreement of the Croatian authorities, the High Commissioner for Human Rights decided to open a field office of the Centre for Human Rights at Erdut, Eastern Slavonia, effective as of 1 February 1996. Due to the inadequate availability of logistical assets, however, the field office has not yet become fully operational.

91. The following section is based on information gathered by the Special Rapporteur during her visit to Eastern Slavonia and additional material collected by the field office in Erdut.

Freedom of movement

92. Steps toward normalization which took place after the signing of the Basic Agreement have had some positive effects on the general human rights situation in Eastern Slavonia. By early 1996 restrictions of movement imposed on United Nations civilian and military personnel by de facto Serb authorities were substantially reduced. Many checkpoints were dismantled and passage through existing check-points was eased. The Special Rapporteur and her staff received assurances of full freedom of movement for the implementation of her mandate.

93. However, reports have been received that access to certain areas remains restricted. This is particularly true of the Draz area and other locations such as Popovac and Lug. One recent restriction on movement involved United Nations military observers who were not permitted to drive on the road to Koziac.

Illegal expulsions and forced co-location

94. The current population in Eastern Slavonia is estimated to be 150,000 to 170,000. During fighting in 1991/92, some 75,000 Croats and others left the region whereas some 80,000 Serbs, mostly displaced persons from other parts of Croatia, have moved into the region since that time. Due to war-related destruction of many homes, the region is presently overpopulated.

95. In the first six weeks of 1996, an additional 15,000 Serb refugees and displaced persons moved into Eastern Slavonia. The influx has led to a further deterioration of already precarious living conditions and resulted in some violations of human rights. Several reports have been received of cases of forced evictions of families belonging to minority populations, mostly Croats. In one case an elderly woman was evicted from her house in Dalj by members of Special Forces from the Federal Republic of Yugoslavia. In another incident, incoming Serb displaced persons were reported to have evicted an elderly Croat woman in the village of Ilok. The Serb de facto authorities have reportedly expressed concern about such cases and stated that they attempt to remedy unlawful evictions. In a few instances evicted property owners have been reinstated in their homes with the support of the local militia. However, in the majority of cases lawful owners have not yet recovered possession.

96. The recent influx of refugees and displaced persons into Eastern Slavonia has led in a number of cases to co-location of these persons with residents of Croatian and Hungarian ethnic origin, without the consent of the latter. This has created widespread fear and stress among members of the minority population.

Personal security

97. Apart from the foregoing, security in the region is reported to have improved. The Serb de facto authorities have reportedly managed to curb crime rates. Fewer incidents of crimes committed against United Nations personnel have been reported; however, in early January 1996 three United Nations vehicles were hijacked by uniformed men. Investigations carried out by local authorities resulted in the return of two vehicles by mid-February.

98. A major concern in Eastern Slavonia is the threat to the right to life posed by an estimated 400,000 mines. These remain strewn along confrontation lines and present a serious hazard, particularly for individuals and families seeking to reoccupy abandoned houses.

War-traumatized children

99. During her visit to Eastern Slavonia the Special Rapporteur took particular note of the situation of children affected by the conflict. She reiterated her view that children who have been subjected to emergency situations are entitled to special protection, rehabilitative care and education that aims at ameliorating war-related trauma. The Special Rapporteur was informed by local authorities that regular schooling up to the university level is functioning in the region. In addition, she learned of special workshops and seminars for children, including one organized by Serb

de facto authorities in Vukovar aimed at helping parents contribute to the healing process of their war-traumatized children. A workshop which took place in summer 1995 brought 2,000 children together in a holiday camp which provided psychologic treatment and counselling.

Confidence-building measures

100. The Special-Rapporteur underlined in her discussions with the Government of Croatia and Serb de facto authorities the importance of concrete confidence-building measures. With the support of UNTAES and other international organizations in the region, several meetings on an assortment of issues were held during the first two months of 1996, on such topics as planning for the establishment of the transitional police force, reopening of a stretch of the Zagreb-Belgrade highway in the Zone of Separation at Lipovac, and economic issues. One positive initiative has been family reunions arranged by regional Red Cross associations, with the support of UNTAES, at the Sarvas-Nemetin checkpoint. Some 1,000 persons have been reunited with relatives whom they had not seen for several years.

Humanitarian situation

101. The conditions in which Serb refugees and displaced persons live in Eastern Slavonia are deplorable. Staff of the Centre for Human Rights working with the Special Rapporteur in Erdut visited houses inhabited by refugees in the towns of Dalj, Erdut, Sarvas and Ilok. In all cases the houses are substantially damaged, and many inhabitants are obliged to sleep on floors and subsist on meagre rations of bread and soup obtained at emergency kitchens. Children were observed to be poorly clothed and dirty, and some people were found to be suffering from apparent respiratory infections and other ailments. Many residents reportedly suffer from malnutrition. In Ilok, where there are approximately 9,000 Serb refugees and displaced persons, 86 people are being accommodated in a makeshift temporary shelter at the fire station.

102. In addition to children, the elderly are an especially vulnerable group. Protection of their rights requires specific attention and adequate material support from the local authorities. The elderly in the region depend almost entirely on humanitarian assistance, as they have not been receiving pensions for the last five years. Although entitled to Croatian pensions, few persons have claimed them because of logistical and procedural obstacles. Both Croat and Serb authorities appear to bear responsibility for impeding the process. At present, elderly persons are receiving social assistance from Serb de facto authorities that amounts to the equivalent of US $10 per month.

Conclusions

103. The human rights situation of the Serb population living in the former Sectors retaken by the Croatian military last summer remains precarious. Cases of looting, harassment and discriminatory treatment continue to be reported and remain a serious cause for concern, as do the issues of the return of Croatian Serb refugees and the detention of those subject to proceedings for their alleged participation in the conflict. The vast

majority of the Serb population has now departed Croatia, and there is a risk, given prevailing conditions, that the number of Serbs remaining will continue to shrink.

104. Information provided by the Government of Croatia indicates that a large number of judicial proceedings have been instituted with respect to crimes and human rights violations that were allegedly committed, mostly against Croatian Serbs, in the aftermath of the military operations. However, many reported cases of killings remain unresolved, and there is little evidence of trials concerning acts of arson or looting being brought to a conclusion.

105. The Croatian authorities, as a result of international pressure, have undertaken certain measures in order to improve this situation. However, in light of the information received by the Special Rapporteur, it appears that these measures remain insufficient.

106. Serious human rights problems continue to be noted in Croatia, including ongoing illegal and forcible evictions, the practice of hate speech and attacks on lawful expression, and implementation of certain legal provisions which seem to discriminate among citizens.

107. The situation of the refugees in Kupljensko camp is cause for serious concern due to the apparently summary deportation of a number of refugees to western Bosnia and Herzegovina, against their will. Furthermore, living conditions in the camp are extremely poor.

108. Numerous complex problems lie ahead with respect to the question of the peaceful re-integration of Eastern Slavonia, including demilitarization of the region, return of displaced persons and refugees, and reconstruction which can lead to the resumption of normal civic and economic life.

Recommendations

109. In order to build confidence and provide security, the Croatian authorities should increase policing and humanitarian projects in the former Sectors. A general amnesty should be decreed for all former combatants of the so-called "Republic of Serb Krajina" and the return of Croatian Serb refugees now in the Federal Republic of Yugoslavia and elsewhere should be facilitated.

110. The international community should strongly encourage further development of local human rights organizations, particularly groups concerned with women's and children's issues.

111. The Croatian authorities should cease forcible and illegal evictions and undertake effective steps to reinstate illegally evicted tenants in their rightful apartments. Criminal proceedings must be undertaken against perpetrators of illegal evictions.

112. Appropriate measures to combat nationality and religion-based hatred should be undertaken by the Croatian Government, through education and public information programmes. Freedom of expression, although not for advocacy of hatred, must be resolutely guaranteed.

113. The Croatian authorities should ensure decent living conditions for persons in the Kupljensko refugee camp and guarantee a reasonable opportunity for these persons to submit claims for refugee status.

114. To achieve full implementation of the agreement on the Eastern Slavonia region, it will be essential that the two parties intensify mutual contacts in all aspects of civic and economic life, in a spirit of cooperation and with the willingness to translate words into action.

IV. FEDERAL REPUBLIC OF YUGOSLAVIA

Introduction

115. The Special Rapporteur visited the Federal Republic of Yugoslavia from 26 to 29 November 1995. The purpose of her visit was to establish contacts with the authorities of the Federal Republic of Yugoslavia after the Dayton Agreements and to receive updated information from the authorities and from United Nations organizations in the field such as UNHCR and UNICEF, as well as from non-governmental organizations and private individuals. The Special Rapporteur met with the Minister of Foreign Affairs and the Federal Minister for Freedoms of the Citizen and National Minority Rights, among other authorities. During her stay she visited Pristina to assess the human rights situation in Kosovo.

116. In addition, staff members of the Centre for Human Rights visited Belgrade and Vojvodina on her behalf from 18 to 24 January 1996 to further update the information received by the Special Rapporteur during her visit in November and to continue exploring with the authorities of the Federal Republic of Yugoslavia the possibility of establishing a presence of the Centre for Human Rights in Belgrade.

117. The Special Rapporteur thanks the authorities of the Federal Republic of Yugoslavia for their cooperation, and for acceding to her request to open an office in Belgrade in support of her mandate.

118. The Special Rapporteur has received a substantial amount of material about human rights problems from various sources. She also took note of documentation provided by the Government of the Federal Republic of Yugoslavia which expressed the views of the authorities on this matter.

Information received by the Special Rapporteur

119. During her visit the Special Rapporteur received information from non-governmental organizations and private individuals about human rights violations such as the systematic practice of torture and ill-treatment in detention centres, abuse of power by police authorities, and infringement of freedom of movement, media and association, as well as information on the situation of minorities in the areas of Vojvodina, Kosovo and Sandzak.

120. The Special Rapporteur held discussions with Yugoslav authorities on the situation of refugees and the status of the adoption of amnesty and citizenship laws.

121. Through her direct contacts with the local authorities, the Special Rapporteur attempted to verify information received in the course of her visit. One of her particular concerns is the well-being of children in the areas of education and health as well as the protection of refugees accommodated in collective centres.

Need for enactment of new legislation

122. The existing legislation of the Federal Republic of Yugoslavia governing the rights of media, movement and trade union activities received much attention by the Special Rapporteur as did the necessity for the rapid adoption of new legislation dealing with citizenship and amnesty.

Freedom of media

123. The Federal Republic of Yugoslavia exercises strong control over electronic and printed media, despite legislation contained in the 1992 Federal Constitution (art. 36) by which freedom of the press, all forms of public information, and free expression and publication of opinions in the media are guaranteed.

124. The main legislation concerning the media are the Law on the Basis of Public Information (28 March 1991) and the Law on Radio and Television (31 July 1991). In 1994, the Government proposed amendments to the former, according to which the approval of the Government would be required for any foreign financial or technical contributions to the media in Serbia. These amendments were not retained by the Parliament.

125. RTV Serbia (consisting of television centres in Belgrade, Novi Sad and Pristina) is the only television station broadcasting nationwide, currently on three channels. RTV Montenegro covers the airwaves in the Republic of Montenegro.

126. On 15 February 1996, the Belgrade Economic Court revoked registration of the independent TV station Studio B as a privately held corporation and registered it as a public company funded by the Municipal Assembly in Belgrade. By this action, the most important independent broadcast media outlet was put under State control. Only independent Radio B-92 continues to exist. Otherwise, Serbian citizens now receive only RTS State-controlled broadcasts.

127. Independent print journals exist in Serbia, with a combined circulation of about 150,000. Nasa Borba is the only independent daily newspaper; it has approximately 20,000 readers in Belgrade, and survives with international assistance. The independent newspaper Borba, previously the largest, was taken over by State authorities after its registration was cancelled in December 1994.

128. There is evidence that smaller radio broadcasters and publishers are more independent than the larger media organizations. Their size, however, means that their audience, and therefore their influence, is limited. In view of the forthcoming elections, there is considerable reason for concern over the control which the Government exercises on the media.

Freedom of movement

129. Information has been received by the Special Rapporteur regarding allegations of restrictions of freedom of movement. These restrictions are manifested by the refusal of the authorities, in an arbitrary manner, to issue passports and appropriate identity cards to persons living in the Kosovo area, and to persons recently arrived from the Krajina region of Croatia. Indeed, a list of petitioners for passport renewal from the area of Kosovo was transmitted to the Federal Ministry of Justice, and a promise was made to the Special Rapporteur by the authorities for a prompt investigation. A reply from the Government on this matter should be forthcoming.

130. It has been alleged that male Serb refugees coming from the Krajina region of Croatia after the events of last summer, labelled as "expellees" in a decree issued on 29 November 1995 by the Yugoslav authorities, are not being provided with appropriate documentation, which restricts their freedom of movement. There have been cases where these refugees have been drafted into military service.

Trade union activities

131. The Special Rapporteur was informed that the country enjoys rather democratic legislation regarding trade union rights, but its implementation is not being observed; the right to strike, for example, is curtailed through government intimidation, pressure and State-controlled propaganda. Furthermore, only officials of "authorized" trade unions participate in the bargaining process. Independent trade unions lack access to the media and their press circulation is limited.

132. The right to establish and operate free trade unions with the implicit right to strike was only granted after the dissolution of the Federal Socialist Republic of Yugoslavia; social pressure caused the ruling party to include these provisions in the Constitution. As a result, union rights and freedom of association in the labour movement are yet to be developed.

133. Independent trade unions have challenged illegal or unconstitutional regulations governing workers' rights. The Special Rapporteur was informed that in November 1994, changes were introduced to the 1990 General Collective Agreement by the Serbian Government, the Serbian Chambers of Commerce and the so-called "authorized" Council of the Confederation of Trade Unions without the knowledge of the independent associations and in violation of the trade union freedoms and rights.

134. The changes no longer retained employers' obligation to provide premises and administrative and financial support, including authorization to supply workers with relevant information and protection mechanisms for their representatives, on an equal basis with "authorized" or State-controlled trade unions. The effect of these changes was effectively to ban independent trade unions, as they no longer have the offices or technical facilities to operate. Above all, their representatives are denied their right to protection on account of their activities.

135. Allegations have also been received of cases of workers who are undergoing investigation for alleged breaches of trade union law or for participating in unauthorized trade union activities.

Question of citizenship

136. Prior to the dissolution of the Federal Socialist Republic of Yugoslavia all citizens of the Federal Socialist Republic had dual citizenship: that of a republic and of the Federation. Since Federation citizenship afforded a citizen the same rights throughout the country, a citizen could change citizenship of a republic with no consequences. With the extinction of the Federal Socialist Republic, the Federal Republic of Yugoslavia declared itself the sole successor to the Federal Socialist Republic and dual citizenship was abandoned. Those citizens of the former Federal Socialist Republic from republics other than those constituting the Federal Republic of Yugoslavia (Serbia and Montenegro) who found themselves in the Federal Republic through circumstances beyond their control are therefore now considered as foreigners.

137. A new proposal concerning the Federal Citizenship Act (June 1995) by the Federal Ministry of Internal Affairs is currently under discussion. It should be noted that in elaborating legislation on citizenship, States have an international obligation to consider the provisions of international law, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, as well as any other international legislation on this question at the regional level.

138. The new bill raises a number of questions which the Special Rapporteur intends to discuss in detail with the Government of the Federal Republic of Yugoslavia. This matter will therefore be addressed in her next report.

Amnesty

139. The Government of the Federal Republic of Yugoslavia drafted an amnesty law and submitted it to Parliament for consideration which is expected to be forthcoming in March 1996. The Special Rapporteur did not receive the text of the legislation. She has been informed that the law will contain a passage providing amnesty to those charged with armed rebellion. The proposed legislation may grant amnesty from prosecution to those who were conscripted by the various States of the former Yugoslavia during the armed conflict.

Situation of minorities

140. There are a number of concerns regarding the protection of minorities in the Federal Republic of Yugoslavia. Widespread discrimination against particular ethnic and religious groups continues to be reported in the areas of Kosovo, Vojvodina and Sandzak.

141. It is acknowledged that the Federal Republic of Yugoslavia has had severe strains placed upon its resources by the influx of refugees, particularly from the Krajina region of Croatia in 1995, and that insufficient support has been provided by the international community compared with other former Yugoslav territories. Such difficulties have also been exacerbated by the transition to a market-orientated economy. However, these obstacles

should not preclude the authorities' compliance with international standards governing minority rights. The relocation of the displaced Serbian population within the territory of the Federal Republic of Yugoslavia should be exercised with caution to preserve as much as possible existing ethnic composition.

Kosovo

142. Ethnic Albanians in the Kosovo region constitute 90 per cent of the population; between 1.1 and 1.5 million people. On 27 November 1995, during her visit to the Federal Republic of Yugoslavia, the Special Rapporteur had meetings with Serb officials and representatives of the ethnic Albanian population in Kosovo. In her discussions, the Special Rapporteur requested clarification of the situation in Kosovo, as information she has received has often been contradictory.

143. It should be noted that the ethnic Albanian population has established operations of a parallel administrative system in response to the suspension of Kosovo as a federal unit in 1989-1990. The educational system for ethnic Albanian children in Kosovo, however, is far from adequate, since there is an insufficient number of trained teachers and a lack of adequate school premises and educational materials. Albanian children also suffer intimidation when not on school premises.

144. At its eleventh session, the Committee on the Rights of the Child, having considered the reports of State parties, expressed grave concern about the situation of Albanian-speaking children in Kosovo, especially with regard to their health and education. It would appear that the rejection by the Albanian population of the Government's decision to apply a uniform education system and curriculum have resulted in the summary dismissal of a large number of schoolteachers, therefore preventing some 300,000 school-age children from attending classes (CRC/C/15/Add.49, para 7).

145. Medical services are boycotted by the Albanian population due to mistrust stemming in part from an alleged poisoning incident which occurred in March 1990 during a vaccination programme carried out by Serb medical teams. Consequently, children, who are especially susceptible to illness, are not provided with adequate medical care, and inoculations against epidemic diseases have stopped. Infant mortality is high and incidents of tuberculosis have generally increased for both the young and the aged. It is of grave concern to the Special Rapporteur that it is children and the elderly who pay the price for adult mistrust.

146. The Special Rapporteur has received reports of systematic torture and ill-treatment committed by the police in Kosovo. Those who have experienced such incidents have often been refused medical assistance. Permanent disabilities have been reported by those who have been subjected to electric-shock treatment and beatings. Information provided by the Humanitarian Law Fund in Belgrade, which defended 120 cases of this nature in court, indicates that only 10 detainees were spared ill-treatment or torture whilst in detention.

147. The Special Rapporteur raised the above issue with the authorities through the Secretariat. The Minister of Justice stated that, although some incidents of abuse of power and authority had been registered in the area of Kosovo, those incidents were isolated and the perpetrators were brought to justice. The Ministry promised to forward to the Special Rapporteur the results of the proceedings and the actual number of officials charged by the court, as well as the number of those serving sentences.

148. The Special Rapporteur welcomes this initiative of the Ministry of Justice. The Special Rapporteur may consider this action as a possible mechanism for reporting human rights violations; this method could also be envisaged for establishing a dialogue with the authorities for future corrective actions.

149. A practice which appears to be widespread throughout the territory of the Federal Republic of Yugoslavia is the phenomenon of so-called "informative talks". It has been alleged that a special unit of the police entrusted with political matters invites people suspected of political involvement to report to the police stations and respond to questioning on their activities. In many instances people have been detained soon after these talks and placed in incommunicado detention. Accusations have also indicated that in some cases people have been detained for a month without their families' knowledge.

Vojvodina

150. The population of the region of Vojvodina is very diverse in terms of ethnicity, culture, religion, and language. In terms of numbers, Serbs account for 57.3 per cent, Hungarians 16.6 per cent, Croats 3.7 per cent, Slovaks 3.2 per cent, Romanians 1.5 per cent, Roma 1.2 per cent, Bulgarians 1.1 per cent, Ruthenians 0.9 per cent, and Ukrainians 0.4 per cent.

151. Although the Constitution of 1992 guarantees that national minorities can express their national affiliation and culture, use their language and alphabet, exercise the right to education and public information in their language and the right to establish cultural organizations and associations in their language, the Hungarian and Croat minorities living in this region have expressed concern about the effective implementation of their rights.

152. As far as cultural rights are concerned, it has been stated that although schoolchildren are permitted to use their mother tongues, the curriculum and their school programmes have progressively changed since 1988 on the basis of instructions received from Belgrade. Fears have been expressed that Hungarian historical names and denomination of places might be permanently lost.

153. Information provided by UNHCR shows that there are 162,000 refugees in Vojvodina, 8 per cent of the total population. There has been an emigration of ethnic Hungarians from Vojvodina since 1988; furthermore, it should be noted that approximately 30,000 young men left the territory to avoid conscription.

154. There is concern among ethnic groups that recently arrived refugees may permanently settle in Vojvodina and change the ethnic balance. Despite appeals by the local population to the federal Government, refugees continued to be directed to the seven North Bacska, ethnic Hungarian local governments. The structure of the population in small municipalities such as Apratin has been drastically changed. Silada (part of Apratin municipality), with a population of 900, has received 362 refugees.

155. Complaints have also been received about forced eviction of Hungarian families to accommodate the new arrivals, as well as the occupation of empty houses belonging to Hungarian migrant workers living abroad.

Sandzak

156. The Special Rapporteur met with Muslim representatives from the Sandzak region who provided her with information regarding human rights abuses in the area.

157. Sandzak is administratively divided between Serbia and Montenegro; the Serbian entity is subdivided into Serb-majority electoral districts. The ethnic composition of Sandzak is 60 per cent Muslim, and 40 per cent Serb.

158. There have been no independent human rights monitors in Sandzak since the OSCE mission left the region in June 1993. It is alleged that since the beginning of the conflict, the abduction of members of the Muslim population by officials has continued. Border areas in particular have been targeted, both to provide conscripts to serve in the army and to "ethnically cleanse" the region. It has been alleged that property owned by the expelled Muslim population has been appropriated by Serb authorities.

159. Of particular concern are instances in which the abduction of Muslims has reportedly been perpetrated by police in civilian clothing. Individuals have remained missing after such abductions, and in some cases have been murdered and the bodies found in the border region.

160. The practice of "informative talks" with the police is also prevalent in Sandzak. The reasons given to attend such "informative talks" are often ambiguous and could be a source of abuse whilst in detention, since those talks are not conducted with implicit legal safeguards.

161. The Special Rapporteur has received a number of complaints from Sandzak which she intends to examine in a forthcoming visit to the Federal Republic of Yugoslavia. During the same visit, human rights violations against the Bulgarian minority in the eastern area of Serbia will be addressed. Information has been received that the civil and political rights of this minority group have not been observed.

Conclusions

162. The human rights situation in the Federal Republic of Yugoslavia remains a serious concern.

163. Current legislation dealing with freedom of expression, freedom of movement and freedom of association should be examined with a view to the enactment of new laws.

164. The present system dealing with the question of citizenship is subjective and open to abuse.

165. The media in the Federal Republic of Yugoslavia is not assured of its independence, nor is the State-funded media impartial.

166. The education system in Kosovo is in a dire situation. Education in children's mother tongues can be beneficial, but only if different ethnic groups are provided with equivalent resources. Failing to do so can only serve to exacerbate community tensions.

167. Medical services in Kosovo are a source of mistrust for ethnic Albanians. This, coupled with the effect of sanctions on the general health of the population, has caused children and the elderly to suffer.

168. There are random home searches, arbitrary arrests and systematic beating of detainees whilst in custody in the Kosovo and Sandzak regions.

169. The Special Rapporteur acknowledges the efforts of the Government to facilitate the temporary settlement of refugees.

170. The right to express ethnic culture, language and religion could be undermined in the areas of Kosovo, Vojvodina and Sandzak if the Government does not undertake concrete measures to make effective the enjoyment of the guarantees enshrined in the Constitution.

Recommendations

171. Human rights law and standards for the population of the Federal Republic of Yugoslavia must be ensured and enforced, regardless of ethnic status.

172. Individuals should enjoy the right to fair trial and freedom from arbitrary arrest and detention.

173. The practice of so-called "informative talks" by the police should be discontinued.

174. A mechanism should be established with the relevant authorities of the Federal Republic of Yugoslavia for reporting human rights violations and for providing the Special Rapporteur with prompt responses on corrective actions undertaken by the Government.

175. Legislation regarding citizenship should take into account the provisions contained in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, as well as any other international legislation regarding this question.

176. Interference in broadcasting and publishing must be discontinued. Improvements must be introduced to the legislation of the Federal Republic of Yugoslavia to protect the freedom of the media, as this is a crucial indicator of democracy. Freedom of the media will be especially important in the context of the forthcoming elections. International governmental and non-governmental organizations must assist the implementation of media freedom through financial, technical or professional support.

177. The freedom of independent trade unions must be protected and enforced by the Government. The development of independent trade unions must be furthered by the development of social and political freedoms, as the two are inextricably linked.

178. Dialogue must be established between the leaders of the ethnic Albanian population in Kosovo and the Government of the Federal Republic of Yugoslavia. The cycle of mistrust must be discontinued in order to achieve a peaceful settlement of differences.

179. Refugees now in Vojvodina must be allowed to return to their homes of their own free will and with dignity. Those who choose to remain in the Federal Republic of Yugoslavia should be allowed to do so.

180. The freedom of culture, religion, education, language, and other expressions of ethnicity must be protected and defended by the Constitution of the Federal Republic of Yugoslavia.

V. THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Introductory remarks

181. Since her appointment in September 1995, the Special Rapporteur has closely followed the human rights situation in the former Yugoslav Republic of Macedonia. In order to further acquaint herself with the most recent developments and issues pertaining to her mandate, the Special Rapporteur visited the country from 31 January to 2 February 1996.

182. During her visit, the Special Rapporteur had the opportunity to meet with the President of the Republic, the Prime Minister, the Chairman of the Assembly, the Minister of Internal Affairs, the Minister of Education and the Minister of Justice. She also had meetings with the Chief of Mission of the United Nations Preventive Development Force (UNPREDEP) and with the head of the Continuing Monitoring Mission of the Organization for Security and Cooperation in Europe (OSCE). The visit further included discussions with representatives of the Helsinki Committee for Human Rights of the Republic of Macedonia, the Democratic Forum for the Protection of Human Rights and Freedoms in Macedonia and the Open Society Institute Macedonia.

183. The present report was prepared following the Special Rapporteur's visit, and is based on material gathered both during that mission and through the entire reporting period by the Skopje field office of the Centre for Human Rights.

184. The attempt on the life of the President of the Republic on 3 October 1995 shook the country and provoked reactions of despair and outrage around the world. During her recent visit, the Special Rapporteur was relieved to see that the President has already been able to take up his duties once again.

Administration of justice

185. The Constitution adopted in November 1991 provides the basis for a comprehensive reform of the country's administrative and judicial institutions, and calls for the enactment of a wide range of laws and regulations to form the legal structure of the State. Regrettably, for a long period of time this legislative process was delayed far beyond the time-frame set by the Constitution, which in many cases resulted in discrepancies between the provisions of the Constitution and corresponding laws, dating back to the era of the Federal Socialist Republic of Yugoslavia. As a temporary solution to this situation, the Constitutional Court has on numerous occasions used its authority to repeal or invalidate specific legal provisions which were found not to conform to the present Constitution. The extent of this problem is illustrated by the fact that, during the last year, the Constitutional Court received 374 initiatives for examining the constitutionality of various laws and regulations. In 186 of 335 closed cases, the Court decided to annul a legal act or revoke a governmental action as unconstitutional.

186. The above-mentioned delay has also affected the development of the country's judicial system, since both the law defining the structure and competence of the courts and the laws on civil and criminal procedures date back to the era of the Federal Socialist Republic of Yugoslavia. However, the Special Rapporteur notes that a number of important laws have been passed during the last year. Others are under preparation or have already entered the parliamentary procedures for adoption. The new Law on Courts, which was adopted on 20 July 1995 and drafted in consultation with the Council of Europe, is scheduled to enter into force on 1 July 1996, and will bring about a comprehensive restructuring of the country's court system. Both the new Penal Code and the laws on civil, criminal and executive procedures are expected to be in place in April 1996. The law defining the mandate of the Ombudsman is also scheduled for adoption in April 1996.

Right to freedom from arbitrary arrest and detention

187. The Special Rapporteur has been alerted to a number of instances in which house searches, arrests and interrogations were allegedly carried out by the police without presentation of proper documents authorizing them to undertake such actions. A series of cases has been reported, e.g. in connection with the so-called Tetovo University initiative, and during the investigation of the attempt on the life of the President of the Republic.

188. In this regard, the Special Rapporteur has been informed that the leading figures of the so-called Tetovo University initiative were arrested and detained, without having been presented with court orders, in connection with the disturbances in Mala Recica on 17 February 1995. It is reported that these persons were questioned and kept in police custody for up to 40 hours,

well beyond the statutory 24-hour limit, before being brought before an investigating judge. Allegedly, they were not allowed to contact their lawyers or families during these interrogations.

189. The Special Rapporteur has also received allegations of seemingly unmotivated police actions against persons attending classes given at the so-called Tetovo University. It has been reported, for example, that on 23 November 1995, Mr. A.B. and Mr. S.A. were apprehended by two police officers in a street in Tetovo and taken to a police station for questioning. Allegedly, the police searched their bags and confiscated their textbooks. It is further reported that on 15 January 1996, Mr. H.H., owner of a restaurant in Tetovo, was called to the police for so-called "informative talks" regarding a student party held at his restaurant on 14 January 1996. Reportedly, the police ordered him not to arrange such events at his establishment in the future. It appears that in neither of these incidents did the police present the persons concerned with any document authorizing the action taken.

190. In connection with the investigations into the attempt on the life of the President, it has been reported that in December 1995, the police carried out a campaign of house searches in several districts in Skopje. Allegedly, the police failed to present the persons concerned with any court order or warrant authorizing the searches. Apparently, these actions were carried out solely on the basis of a formal announcement by the Ministry of Internal Affairs published the following day in the main daily newspapers.

191. The Special Rapporteur has further been alerted to the case of Mr. Boris Todorov, who was arrested in his home in Skopje on 13 November 1995, allegedly in connection with the investigation into the attempt on the life of the President. Reportedly, the police searched Mr. Todorov's home without presenting proper documents and confiscated a large number of items without leaving a receipt. Mr. Todorov was then allegedly taken to a police station, where he was kept for questioning from 13 to 16 November 1995 without being able to contact his lawyer or his family. On 10 December 1995, the Special Rapporteur wrote a letter to the Minister of Foreign Affairs requesting clarification of the case of Mr. Todorov. In its reply of 1 February 1996, the Ministry stated its position that the measures taken against Mr. Todorov were in accordance with the Constitution.

192. The Special Rapporteur has also been informed of an incident reported in the town of Strumica in August-September 1995, in which a group of some 20 persons were called to the police for questioning and kept in custody for five to six hours per day during a period of two weeks, without being charged with any criminal offence. Allegedly, the persons concerned were denied access to legal counsel. According to the Ministry of Internal Affairs this action was taken as part of a campaign against drug trafficking and smuggling.

Rights of national or ethnic, religious and linguistic minorities

193. The educational situation of national minorities, and in particular the Albanian community, remains one of the most pressing concerns in the country. The Special Rapporteur continues to receive complaints with regard to the number of teachers and the quantity and quality of textbooks, teaching aids

and other resources provided to Albanian pupils. While it is difficult to assess the extent of these shortages and their specific implications for minority students, it is clear that the entire school system is faced with serious difficulties due to limited resources. The shortage of primary and particularly secondary school teachers for minorities is serious, and the Ministry of Education has in some instances been obliged to employ unqualified personnel to meet the demand, which has negatively affected the quality of teaching in many minority schools. However, this practice is no longer possible under the new laws on primary and secondary education.

194. The number of minority students who continue their education at institutions of higher education remains disproportionately low, although the situation seems to have improved somewhat in recent years. It may be noted that five years ago, 1.7 per cent of the students at Saint Cyril and Methodius University in Skopje were of Albanian origin. This academic year, the corresponding number has risen to 9 per cent, partly due to the introduction of a 10 per cent minority quota at the universities three years ago. The Ministry of Education has informed the Special Rapporteur of its plans to further develop the minority quota system in institutions of higher education. It is also to be hoped that the ongoing restructuring of the Pedagogical Academies will meet the growing demand for competent teachers for minorities. The Special Rapporteur notes that the new law regulating the sphere of higher education remains to be enacted.

195. The Special Rapporteur further notes the disproportionately low number of Albanian employees and other persons with a minority background in public office. As illustrative examples, it may be noted that some 4.5 per cent of the police force is composed of ethnic Albanians, while the corresponding figure for military employees is around 4 per cent. The Special Rapporteur has been informed that the Government is attempting to address this problem by increasing the quotas for minorities at the police and military academies, and by successively recruiting a larger number of members of minority groups to posts at ministries, courts and other public institutions.

196. The Special Rapporteur has continued to follow the situation of the Serb Orthodox community in the former Yugoslav Republic of Macedonia. It has been brought to her attention that despite meeting the formal requirements, this community has not been able to register with the relevant authorities. It appears the reason given by the Ministry of Internal Affairs for rejecting the requests for registration was that this community had engaged in activities not compatible with its status.

197. The new Law on Local Self-Government, which was passed in October 1995 and prepared in cooperation with experts from the Council of Europe, includes important provisions concerning the official use of minority languages on a municipal level. According to the new law, the language and alphabet of a national minority will be used, together with Macedonian, on signs and inscriptions in public places in municipalities in which the minority group constitutes the majority (at least 50 per cent) of the population, and if the local municipal Council so decides in municipalities with a considerable number (at least 20 per cent) of minority inhabitants. Both languages will also be in use in the local administration in municipalities where there is a majority or considerable number of persons belonging to the minority. In

addition, the statutes, decisions and acts of the local government bodies are to be published in both languages. The new law builds on guarantees set out in article 7 of the Constitution.

198. The Special Rapporteur welcomes and supports the proposal made by the President of the Republic to initiate a comparative study of the minority situations in the various Balkan countries, under the auspices of the United Nations.

Right to freedom of expression

199. The situation of the media, and particularly the independent press, remains a serious concern in the overall human rights situation. The main media outlets and distribution networks with nationwide coverage are still under State control. In this regard, the Special Rapporteur welcomes the recent initiative to establish a private newspaper with national coverage. The first issue of this publication is expected in March-April 1996. Some representatives of the independent press further allege discrimination regarding their access to official information, press conferences and interviews with government officials. As for the electronic media, the Special Rapporteur notes the Government's decision in May 1995 to close down several private radio and TV stations on the grounds that they did not possess the licences required for broadcasting. The Special Rapporteur recognizes the urgent need for regulation in the sphere of TV and radio broadcasting, and notes with concern that the legal situation in this field remains unclear in the absence of new and updated legislation.

Right to an adequate standard of living

200. The side-effects of the United Nations sanctions against the Federal Republic of Yugoslavia and the unilateral embargo imposed by Greece have in recent years put an additional strain on the already difficult economic situation in the country. This has limited the Government's ability to ensure full enjoyment of economic and social rights. The Special Rapporteur notes that currently around 30 per cent of the workforce is unemployed, as a result of serious drops in industrial production. It is further reported that only some 20 per cent of the persons employed have received their salaries for the past few months. The social consequences of this situation are obvious. It is to be hoped that the Interim Accord signed between the former Yugoslav Republic of Macedonia and Greece in September 1995 and the suspension of the sanctions against the Federal Republic of Yugoslavia will contribute to alleviating the serious social and economic situation in the country.

Conclusions and recommendations

201. While the former Yugoslav Republic of Macedonia may not face the same magnitude of problems as those seen in other parts of the region, some difficult human rights issues must still be addressed. The most pressing concerns are connected with the enactment of new legislation, irregularities in the work of the law enforcement authorities, minority rights and the media situation. These are issues which are present in many other States in transition from a centralistic to a democratic form of government. However, in the case of the former Yugoslav Republic of Macedonia, this process of

transition has been further complicated by a difficult minority situation, the proximity of the conflicts and tensions in other parts of the region, uncertainties surrounding the country's international status and serious economic difficulties.

202. The Special Rapporteur welcomes the progress made in enacting new legislation giving substance to the 1991 Constitution. Both the procedural and substantive laws in the spheres of criminal justice are expected to be in place by July 1996, when the new Law on Courts enters into force. This set of legislation should provide an adequate formal basis for a well-functioning court system. The redress mechanisms for persons with human rights complaints should further be strengthened with the appointment of an Ombudsman, following the adoption of the relevant law. The Special Rapporteur urges the Government and all political forces in the country to maintain the current pace of reform, and to pay particular attention to the development of adequate national institutions for the protection of human rights.

203. However, while the legal basis and institutions for human rights protection are being developed, the ability and willingness of ordinary citizens, legal practitioners and public officials to make use of these redress mechanisms will also have to be strengthened. Both the authorities and local non-governmental organizations have a crucial role to play in building a functioning civic society and in raising the awareness of human rights standards and mechanisms among the public.

204. The Special Rapporteur notes that the police forces in the former Yugoslav Republic of Macedonia still resort to irregular methods in the discharge of their duties. The arbitrary use of so-called "informative talks" and interrogations is particularly disturbing. She, therefore, urges the Government to take the necessary steps to improve discipline among the police and to intensify human rights training for law enforcement officials.

205. The Special Rapporteur encourages the Government to continue its efforts to ensure equal access by the national minorities to education and employment at all levels, and in particular to explore alternative ways of enabling these groups to enjoy higher education in their own language. The special needs of the minorities should also be taken into account in the preparation of the new law on higher education. She calls on all parties concerned to maintain an open dialogue and to approach the remaining problems and issues within the framework of the Constitution.

206. The Special Rapporteur welcomes the admission of the former Yugoslav Republic of Macedonia to the OSCE in October 1995 and the Council of Europe in November 1995. She is convinced that the country's membership in these institutions will provide an adequate framework for a further development and promotion of human rights and freedoms. However, it should also be noted that the country's admission to the Council of Europe and, in particular, its ratification of the European Convention on Human Rights will oblige the Government to further intensify its efforts to design legislation and policies in line with international and European standards.

VI. GENERAL CONCLUSIONS AND RECOMMENDATIONS

207. While much is being done to try to ensure immediate protection of human rights in the region of the former Yugoslavia, it is vital to sow the seeds now for post-IFOR peace. All possible assistance should be given to official human rights institutions, such as the Ombudsman and the Human Rights Chamber created by the Dayton Agreements in Bosnia and Herzegovina, and the Ombudsmen of the Federation, since they will take over once the international community leaves. Local human rights NGOs throughout the region, including those attending to women's and children's needs, will need and deserve international support.

208. Particular emphasis should be placed on the needs of the most vulnerable victims of the war - children and youth - who must be protected from a fate as a "lost generation". Programmes that bring youth of different nationalities together, and that address the trauma left by war will greatly enhance long-term prospects for peace and social harmony.

209. The media played a major role in causing war in the former Yugoslavia, and they bear major responsibility for ensuring that it does not start again. All relevant measures, including legislative provisions, must be vigorously pursued to suppress the dissemination of war propaganda and speech which advocates inter-ethnic hatred. Substantial improvements in media freedom must also be made immediately to ensure the validity of upcoming elections in Bosnia and Herzegovina and the Federal Republic of Yugoslavia.

210. The Special Rapporteur has noted the exceptionally positive achievements in the area of human rights of all of the parties to the conflict in the former Yugoslavia over the last several months. She is committed to continuing meaningful dialogues with authorities of all sides and to learning first-hand of the impact of official decisions on the people of the region. However, as with other issues in the peace process, the emphasis for human rights must be on actions, not words, and to seeing that promises made are kept.

Annex

PROGRAMME OF MEETINGS OF THE SPECIAL RAPPORTEUR

Mission of 26 November-4 December 1995

Sunday, 26 November

Belgrade

Mr. Milan Milutinovic	Minister of Foreign Affairs
Ms. Margit Savovic	Federal Minister for Freedoms of the Citizen and National Minority Rights
Mr. Branko Brankovic	Head of International Organizations, Ministry of Foreign Affairs
Ms. Mirjana Radic	Counsellor for International Organizations
Ms. Gordana Parisovic	Chef de cabinet
Ms. Dusica Berzerovic	Adviser, Secretariat of Information
Mr. Iouri Miakotnykh	Delegate of the Special Representative of the Secretary-General for FRY
Mr. Geoff Beaumont	Deputy Head of UNPF Office, FRY
Ms. Margret O'Keeffe	Chief of Mission, UNHCR
Mr. Aldelmo Risi	Senior Protection Officer, UNHCR
Mr. Dragoslav Popovic	UNICEF Officer-in-Charge
Mr. Vuk Draskovic	SPO (Serbian Renewal Movement) Leader
Ms. Vesna Pesic	Parliament Member, Civil Alliance
Mr. Ivan Vujacic	Parliament Member, Democratic Party
Mr. Mirko Klaren	Editor-in-Chief, Nasa Borba

Monday, 27 November

Pristina, Kosovo

Ms. Aleksa Lovic	Head of Kosovo District
Mr. Milos Nesovic	Deputy Head of Kosovo District
Mr. Bosko Drobnja	Secretary for Information
Mr. Mitar Balevic	President of the City Headquarters District
Dr. Ibrahim Rugova	President, Democratic League of Kosovo (LDK)
Mr. Femi Aghani	Vice-President, LDK
Ms. Edita Tahiri	MP, Foreign Affairs Secretary (LDK)
Dr. Alush Gashi	Adviser to Mr. Rugova

Mr. Sami Kurteshi	Executive Secretary, Council for the Defence of Human Rights and Freedoms
Mr. Pajazit Nushi	Vice-Chairman
Mr. Nekibe Kelmendi	Lawyer
Mr. Sevdije Ahmeti	Representative, Centre for Protection of Women and Children
Ms. Dobruna	Representative
Mr. Veton Surroi	Editor-in-Chief, of KOHA, Albanian Weekly
Mr. Ylber Hysa	Journalist, KOHA
Mr. Gazmend Pula	President, Kosovo Helsinki Committee
Mr. Agni Dika	Secretary, Kosovo Helsinki Committee
Mr. Sefko Alomerovic	President, Sandzak Helsinki Committee
Mr. Ismet Kalic	General Secretary
Ms. Alija Halilovic	Member of the Committee

Tuesday, 28 November

Belgrade

His Holiness Patriarch Pavle

Metropolitan John of Zagreb and Ljubljana

Bishop Nikanot of Soraji KerCovac (Croatia)

Bishop Chrysoston of Bihac and Petrovac (Western Bosnia)

Bishop Jziney of Novi Sad and Backa (Vojvodina)

Wednesday, 29 November

Bjeljina

Dr. Nikola Koljevic	Vice-President, Republika Srpska (RS)
Mr. Dragan Kekic	Head of Commission on Refugees, Bjeljina
Ms. Elizabeth Hoffman	Head of Office, ICRC, Bjeljina
Displaced persons	Collective centre, Brezovo Polje

Banja Luka

Dr. Rajko Kasagic	Prime Minister (designate), Republika Srpska
Mr. Marko Arsovic	Minister of Justice, RS
Mr. Goran Neskovic	Vice-President, State Committee on War Crimes
Mr. Pejo Durasimovic	Chief Inspector, Ministry of Defence, RS
Mr. Milan Krnjajic	Chief of Police, Banja Luka
Mr. Zdravko Miovcic	Adviser to Vice-President Koljevic

Thursday, 30 November

Col. Neville Riley	Chief, United Nations Military Observers, Banja Luka
Mr. Predrag Radic	Mayor, Banja Luka
Mr. Brane Pecanac	Head of Centre for Public Security
Mgr. Franjo Komarica	Catholic Bishop of Banja Luka
Mufti Halilovic	Mufti of Banja Luka
Episkop Jefrem	Orthodox Bishop of Banja Luka
Displaced persons	Collective centre, Banja Luka
Representatives	Humanitarian group Duga
Representatives	Refugees from "Republic of Serb Krajina"
Leaders of Merhamet and Valter group	Banja Luka military prison
Mr. Vladimir Tsiourkos	Head of Office, UNHCR
Mr. Julian Herrera	Protection Officer, UNHCR

Friday, 1 December

Jajce

Mr. Nikola Bilic	Mayor of Jajce
Mr. Dzevad Mlaco	Mayor of Bugojno
Mr. Mesud Duvnjak	Councillor, Bugojno
Ms. Zekija Filipovic	Chef de cabinet, Bugojno
Representatives	Croat and Serb communities, Bugojno

Mostar

Mr. Hans Koschnick	European Union Administrator, Mostar
Ambassador Klaus Metscher	Diplomatic Adviser, European Union Administration (EUA)
Mr. Juhani Vaananen	Political Adviser, EUA
Ambassador Bo Kalfors	Refugee Adviser, EUA
Mr. Dragan Gasic	Press Adviser, EUA
Sir Martin Garrod	Chief of Staff, EUA
Mr. Hans Birchler	Legal Adviser, EUA

Saturday, 2 December

H.E. Kresimir Zubak	President, Federation of Bosnia and Herzegovina
Mr. Safet Orucevic	Mayor, Mostar (east)
Mr. Mijo Brajkovic	Mayor, Mostar (west)
Representatives	Serb community, Mostar
Representatives	UN, UNHCR, ICRC, WHO

Sunday, 3 December

Erdut, Eastern Slavonia, Croatia

Mr. Slobodan Milanovic	Head of Serb delegation
Mr. Milan Milanovic	Head of Srem-Baranja region
Ms. Mikic	Head of Association of Refugees and Displaced Persons
Mr. Dusan Teofilovic	President of Executive Council of Vukovar Municipality
Mr. Bozidar Perovic	Vice President, Executive Council
Representatives	UN, UNHCR, ICRC, ECMM
Representatives	Municipal Assembly, Beli Monastir
Displaced persons	
Non-Serb residents	

Monday, 4 December

Zagreb

H.E. Franjo Tudjman	President of the Republic of Croatia
Dr. Ivo Sanader	Secretary-General of the Presidency
Dr. Ljerka Mintas-Hodak	Vice-Prime Minister, Internal Affairs
Dr. Zeljko Matic	Special Adviser to the President
Ms. Natasha Rajakovic	Press Secretary to the President
Mr. Ivan Jarnjak	Minister of Interior, Republic of Croatia
Mr. Joso Skara	Minister of Labour and Social Welfare
Ms. Vera Babic	Deputy Minister
Ms. Dubravka Simonovic	Head of Human Rights Office, Ministry of Foreign Affairs
Ms. Helena Ujevic-Buljeta	Head of Office for Children, Youth, Marriage and Family Protection

Mr. Gojko Susak	Minister of Defence, Republic of Croatia
Mr. Markica Rebic	Assistant to the Minister
Mr. Thomas McDermott	Head of Office, UNICEF

Mission of 31 January-7 February 1996

Wednesday, 31 January

Skopje

Mr. Henryk Sokalski	Assistant Secretary-General, UNPREDEP
Ambassador Tore Bogh	Chief of Mission, OSCE
Mr. Valdimir Michlin	Director, Open Society Macedonia (Soros Foundation)
Representatives	Democratic Forum for Protection of Human Rights and Freedoms, Gostivar
Representatives	Macedonia Helsinki Human Rights Committee

Thursday, 1 February

H.E. Kiro Gligorov	President of the Republic
Mr. Stojan Andov	President, Assembly of the Republic
Mr. Branko Crenkovski	Prime Minister
Mr. Ljubomir Frckovski	Minister of Internal Affairs
Dr. Emilija Simoska	Minister of Education
Dr. Vlado Popovski	Minister of Justice
Finnish Battalion	

Friday, 2 February

Kupljensko Camp

Ms. Alessandra Morelli	Head of Office, UNHCR
Mr. Ramo Hirkic	Refugee committee
Mr. Osman Causevic	Refugee committee
Representatives	ICRC, MSF, UNHCR

Velika Kladusa

Mr. Ejub Alagic	Mayor of Velika Kladusa
Mr. Ahmet Sarajlija	Deputy Ombudsman
Mr. Sisic	Commander, Joint Police Force
Representatives	UNHCR, ICRC

Zagreb

Dr. Mate Granic	Minister of Foreign Affairs
Mr. Ivan Simonovic	First Deputy Minister, Foreign Affairs
Ms. Dubravka Simonovic	Head of Human Rights Office Ministry of Foreign Affairs

Saturday, 3 February

Sarajevo

Adm. Leighton Smith	Commander, IFOR
Mr. Michael Steiner	Deputy of the High Representative
Mr. Srdan Dizdarevic	Helsinki Committee for Human Rights
Mr. Mladen Pandurevic	Serb Civic Council
Representatives	Croat society Napradek
Children	Ljubica Ivezic children's home
Mr. Mirhunisa Komarica	President, Committee for Refugees and Displaced Persons
Displaced persons from Srebrenica	

Sunday, 4 February

Srebrenica

Tuzla

Representatives	UN, UNHCR, ICRC

Monday, 5 February

Mr. Selim Beslagic	Mayor of Tuzla
Representatives	Serb and Croat communities
Representatives	Tuzla Citizens Forum
Representatives	Human rights NGOs
Displaced persons from Srebrenica and Zepa	
Finnish Battalion	

Tuesday, 6 February

Pale

Dr. Nikola Koljevic	Vice-President, Republika Srpska
Dr. Rajko Kasagic	Prime Minister, RS
Dr. Momcilo Krajisnik	Speaker, RS Assembly

Grbavica

Representatives	Grbavica and Ilidza residents

Sarajevo

Dr. Hasan Muratovic	Prime Minister, Bosnia and Herzegovina
Mr. Muharem Cero	Minister for Refugees
Mr. Amur Masovic	Head of the Commission for Exchange
Ambassador Robert Frowick	Head of Mission, OSCE

Wednesday, 7 February

Zagreb

Mr. Veselin Pejnovic	Serb Member of Parliament